UNITED
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Security Council

Distr.
GENERAL

S/24567
16 September 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 15 SEPTEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of fresh violations of the provisions of the cease-fire by the Iranian side during the period 15 August to 10 September 1992, as follows:

1. At 0740 hours on 15 August 1992, 14 soldiers from the Iranian side were seen at geographical coordinates 035937 repairing and strengthening the Iranian post inside the area of separation.

2. At 1010 hours on 17 August 1992, a helicopter approaching from the Iranian rear was seen circling over the area of Jashmah Makki at geographical coordinates 589409.

3. At 1300 hours on 19 August 1992, persons from the Iranian post at geographical coordinates 909751 fired 10 shots at the Iraqi units in the area of separation.

4. At 2000 hours on 24 August 1992, five persons from the Iranian side were seen digging a firing position in front of the Hanjirah guard post at geographical coordinates 872059 inside the area of separation.

5. From 0700 hours to 1020 hours on 28 August 1992, three Iranian soldiers were seen repairing the Iranian post, using spades and pickaxes, at geographical coordinates 033937 in front of the Tayyib guard post inside the area of separation.

6. From 0700 hours to 1020 hours on 28 August 1992, four Iranian soldiers were seen fitting a roof on a position at geographical coordinates 083942 in front of the Hamad Shihab guard post inside the area of separation.

7. From 0700 hours to 1020 hours on 28 August 1992, 30 Iranian soldiers were seen strengthening the forward positions at geographical coordinates 517506 in front of the Fakkah guard post inside the area of separation.

8. At 0630 hours on 29 August 1992, five persons from the Iranian side were seen constructing a new shelter at geographical coordinates 083942 in front of the Hamad Shihab guard post inside the area of separation.

9. At 0830 hours on 30 August 1992, an Iranian helicopter approaching from the Iranian rear was seen circling over the Iranian units on the border strip left of the Fakkah guard post for a 10-minute period. The helicopter then returned to the Iranian rear.

10. At 1900 hours on 30 August 1992, 30 soldiers from the Iranian side were seen carrying sticks and mud for building a position at geographical coordinates 017506 in front of the Fakkah guard post inside the area of separation.

11. At 0700 hours on 31 August 1992, six soldiers from the Iranian side were seen fortifying the Iranian monitoring post at geographical coordinates 083942 in front of the Hamad Shihab guard post inside the area of separation.

12. At 0730 hours on 31 August 1992, five soldiers from the Iranian side were seen digging a position at geographical coordinates 579437 in front of the Mansur guard post inside the area of separation.

13. At 0650 hours on 1 September 1992, six soldiers from the Iranian side were seen operating a new monitoring post at geographical coordinates 083942 in front of the Hamad Shihab guard post.

14. At 0855 hours on 1 September 1992, two Iranian boats were seen carrying 10 persons dressed in olive-drab and armed with light weapons at geographical coordinates 551432. They reconnoitred the area in front of the Iraqi units in the area of separation, and at 1330 hours, they returned to the Iranian rear.

15. At 0915 hours on 1 September 1992, an Iranian boat was seen carrying four persons dressed in olive-drab and armed with light weapons. They approached the Iranian post at geographical coordinates 559401 in front of our units and then reconnoitred inside the area of separation. At 1230 hours, the boat returned to the Iranian rear.

16. At 0930 hours on 1 September 1992, an Iranian military helicopter was seen approaching from the Kanjan dam opening. It headed for the town of Mehran and then turned towards the area of Husayn Abad before returning to the Iranian rear.

17. At 1000 hours on 1 September 1992, an Iranian military helicopter approaching from the Iranian rear was seen circling in front of the the Mimak slope parallel to the international frontier, after which it returned to the Iranian rear.

18. At 1230 hours on 2 September 1992, an Iranian military helicopter approaching from the Iranian rear was seen circling at medium altitude. It then landed at geographical coordinates 879095 opposite the Hanjirah guard

post, which is one kilometre away from the international frontier. Nine soldiers and civilians disembarked and carried out observations in the direction of the Iraqi units. At 1315 hours, the helicopter took off with the persons on board towards the Iranian rear.

19. At 1230 hours on 2 September 1992, a helicopter belonging to the Iranian side was seen approaching from the rear and circling at medium altitude. It then landed at geographical coordinates 878221 in front of the Mimak slope, which is 800 metres away from the international frontier. Three soldiers disembarked and carried out observations in the direction of the Iraqi units. At 1300 hours, the helicopter took off with the persons on board and headed towards the Iranian rear.

20. At 1330 hours on 2 September 1992, an Iranian military helicopter was seen approaching from the Kanjan dam opening and circling at medium altitude parallel to the international frontier. It then landed at geographical coordinates 135725 opposite the Sudur guard post, which is 1,200 metres away from the international frontier. Ten persons disembarked, five civilians and five soldiers, all of whom headed off in vehicles in the direction of the Iranian rear at geographical coordinates 121725. At 1410 hours, the helicopter took off in the direction of the Iranian rear.

21. At 0730 hours on 3 September 1992, four Iranian soldiers were seen completing construction of the Iranian monitoring post at geographical coordinates 083942 in front of the Hamad Shihab guard post. Roofing of the monitoring post was carried out, using corrugated iron and sand, inside the area of separation.

22. At 0800 hours on 3 September 1992, a group of about six persons from the Iranian side was seen building a rest shelter at geographical coordinates 579437 in front of the Mansur guard post inside the area of separation.

23. At 1700 hours on 4 September 1992, five soldiers from the Iranian side were seen building a position at geographical coordinates 514501 in front of the Fakkah guard post inside the area of separation.

24. At 0800 hours on 6 September 1992, eight persons from the Iranian side were seen building a shelter of blocks at geographical coordinates 579437 in front of the Mansur guard post inside the area of separation.

25. At 1320 hours on 6 September 1992, the Iranian side built a shelter from reinforced iron above an old shelter at geographical coordinates 565416 and placed a raised telescope in front of the Harran guard post inside the area of separation.

26. At 1900 hours on 6 September 1992, four persons from the Iranian side dressed in civilian clothing were seen approaching the borders. They opened a gap in the minefield and cut the barbed wire one kilometre to the right of the Sharhani guard post at geographical coordinates 316812, after which they returned to the Iranian rear inside the area of separation.

27. At 0830 hours on 7 September 1992, eight Iranian soldiers were seen fortifying a shelter at geographical coordinates 579437 in front of the Mansur guard post inside the area of separation.

28. At 0730 hours on 8 September 1992, Iranian soldiers were seen building a shelter of clay and brick at geographical coordinates 579437 in front of the Mansur guard post inside the area of separation.

29. At 0730 hours on 10 September 1992, eight Iranian soldiers were seen building a shelter at geographical coordinates 579437 inside the area of separation.

I should be grateful if you would have this letter circulated as a Security Council document.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Security Council

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GENERAL

S/24568
16 September 1992

ORIGINAL: ENGLISH

LETTER DATED 16 SEPTEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated 16 September 1992, from the President of the Republic of Bosnia and Herzegovina, H.E. Mr. Alija Izetbegovic.

May I ask for your kind assistance in circulating the letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

Annex

Letter dated 16 September 1992 from the President of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council

The Presidency of the Republic of Bosnia and Herzegovina vigorously protests, with the Security Council, the ongoing brutal air bombardment of the city of Bihac. The towns of Jajce, Gorazde, Bosanski Brod and Zepa are also brutally bombarded.

Eighty civilians were killed and 371 wounded (28 and 170 respectively in Sarajevo) in the past 24 hours. This is the largest single-day number of casualties since the beginning of the War.

The aggression is intensifying. Instead of a cease-fire and withdrawal of heavy weapons, the aggressor is bringing in reinforcements and arms from Serbia and Montenegro, with an additional 100 tanks included. All this indicates that the promises given by Serbia, Montenegro and their paramilitary units, regarding the cease-fire and heavy weapons control, are nothing but a farce.

Therefore, we demand that the aggression against the Republic of Bosnia and Herzegovina be resolutely stopped. We request that the Security Council act immediately and positively on the "no-fly zone" proposal currently under consideration.

Likewise, we demand that the remaining London Conference measures, which are indispensable if the work of the Geneva session of the London Conference is to show any results, be implemented and enforced without delay.

(Signed) Alija IZETBEGOVIC

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GENERAL

S/24569
17 September 1992

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF ECUADOR ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 16 September 1992 from the Permanent Representative of Ecuador to the United Nations stating that Mr. Javier Ponce has been appointed alternate representative of Ecuador on the Security Council.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.

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S/24570
19 September 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH

Belgium, France, Morocco, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all subsequent relevant resolutions,

Considering that the state formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist,

Recalling in particular resolution 757 (1992) which notes that "the claim by the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations has not been generally accepted",

1. Considers that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations; and therefore recommends to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly;

2. Decides to consider the matter again before the end of the main part of the forty-seventh session of the General Assembly.

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General Assembly Security Council

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A/47/455
S/24571
18 September 1992

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda items 87 (b) and 96 (c)
SPECIAL ECONOMIC AND DISASTER RELIEF ASSISTANCE: SPECIAL PROGRAMMES OF ECONOMIC ASSISTANCE
REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS: HUMANITARIAN QUESTIONS

SECURITY COUNCIL
Forty-seventh year

Letter dated 16 September 1992 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

I have the honour to submit the following information in response to the request for assistance to Somalia made by His Excellency Mr. Abdou Diouf, President of the Republic of Senegal, in his dual capacity as current Chairman of the Organization of African Unity and current Chairman of the Organization of the Islamic Conference for emergency humanitarian assistance to the Somali people.

The Department of Foreign Affairs of the Republic of South Africa was approached by Mr. Mahomed Farid Choonara, Director of the South African branch of the African Muslim Agency, for assistance in transporting humanitarian aid to Somali refugees in northern Kenya. Mr. Choonara was introduced to the Department by former House of Delegates Cabinet Minister, Mr. Boetie Abramjee, who supported their project.

The African Muslim Agency was founded in 1978 in Kuwait by Dr. Abdur Rahman Al-Sumait, who is also the Secretary-General of the Agency. The Agency has established offices in 34 African countries with the aim of providing humanitarian aid where needed.

The African Muslim Agency collected food and medicine from the Muslim community in South Africa which they planned to distribute through representatives of the Agency operating in refugee camps in Kenya. They

requested assistance from the Department of Foreign Affairs in obtaining aircraft to transport supplies to Wajir, in northern Kenya, from which the relief effort is being coordinated.

The Department of Foreign Affairs, in response to the request and in conjunction with the South African Air Force, has sent two Hercules C130's to Wajir to deliver 30 tonnes of food and medicine.

I should be grateful if you would have the text of the present letter circulated as an official document of the General Assembly, under agenda items 87 (b) and 96 (c), and of the Security Council.

(Signed) V. R. W. STEWARD
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/24572
18 September 1992

ORIGINAL: ENGLISH

LETTER DATED 17 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SOLOMON ISLANDS TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The Government of Solomon Islands would like to call to the attention of the Security Council factors which are affecting the peace and security of our region. We would like to draw to the attention of the Council violations of our sovereign territory and acts of aggression which have been committed by the armed forces of the Government of Papua New Guinea against Solomon Islands.

Bougainville is an island 6 kilometres to the north of Solomon Islands. It shares common geographic, cultural and ethnic traits with Solomon Islands and its people. However, due to the colonial subdivision in 1899 by Germany and Great Britain, the island was separated from Solomon Islands and, through the processes of decolonization, it became part of the independent State of Papua New Guinea.

In 1989 an uprising on the island by the people caused Papua New Guinea to withdraw from the island. Since 22 April 1990, the island has been under a very strict military blockade, which has excluded the access of medical and all other supplies to a large proportion of the people of Bougainville.

As an independent State, Solomon Islands has respected the right of the Government of Papua New Guinea to find an internal solution to this problem, including hosting the last substantive peace talks between the two parties in our capital, Honiara.

We have supported the blockade within all reasonable parameters but have allowed the transiting of urgently required medical supplies to the civilian population of the areas affected most seriously by the blockade, as is our duty under the human rights instruments of the United Nations.

We have arrested and prosecuted a number of Bougainvilleans found trafficking in arms in Solomon Islands. This notwithstanding, on a number of occasions Papua New Guinea has blatantly displayed disrespect for the sovereignty of Solomon Islands. In particular we would like to bring to the attention of the Security Council the shelling by Papua New Guinea Defence

Force Commandos of a fuel dump at Bomana Bay settlement in the Shortland Islands of Solomon Islands at 2000 hours on 12 March 1992. During the shelling of the fuel dump, it was estimated that more than 70 to 90 rounds of ammunition were fired from approximately 6 to 7 M-16 machine-guns, causing considerable fear and endangering the lives of innocent and unarmed men, women and children.

Moreover, at 0730 hours on 18 March 1992, 10 Papua New Guinea Defence Force Commandos armed with M-16 machine-guns entered Bomana Bay Settlement on two outboard motor-powered canoes and set fire to 114 drums of fuel, causing considerable damage to the surrounding environment and endangering the lives of innocent and unarmed citizens of Solomon Islands. A protest note enclosed herewith was subsequently sent to the Government of Papua New Guinea (see annex I).

Solomon Islands has been most understanding of the dilemma faced by Papua New Guinea in dealing with the problem of the strong will for self-determination displayed by the people of Bougainville. But we have also expressed to the Government of Papua New Guinea our grave concern over the denial of the basic social, cultural, economic, political and civil rights of the people of Bougainville through the use of this prolonged blockade. We have expressed our concerns at the rising number of fatalities at the village level due to the lack of medical supplies and facilities, estimated to be as high as 5 per cent of the population since April 1990. We have expressed concerns that an epidemic resulting from these conditions would seriously threaten the people of Solomon Islands, particularly our northern provinces.

We have at all times encouraged the people of Bougainville and the Government of Papua New Guinea to settle the dispute between them through peaceful negotiations.

We are, therefore, dismayed that Papua New Guinea on 12 September 1992, violated our territorial sovereignty and used armed force against unarmed citizens of Solomon Islands, thereby contravening Article 2 (4) of the Charter of the United Nations. Between 0400 hours and 0430 hours on 12 September 1992, two outboard motor-powered canoes carrying Papua New Guinea Defence Force Commandos armed with machine-guns were seen entering the Komaliae passage in Solomon Islands from Papua New Guinea.

The Papua New Guinea Defence Force Commandos shot an unarmed women in the leg while she was attempting to escape. She subsequently died from loss of blood. Her three-year-old child was also wounded and is in serious condition. The Commandos also shot the woman's unarmed brother at point-blank range, killing him instantly. The Commandos abducted the woman's husband and took him to Papua New Guinea. His whereabouts are still unknown.

These actions against the people and Government of Solomon Islands, in a region where many of our people are directly related to the Bougainvilleans, represent a real and serious threat to the stability of our nation and threaten the long-standing good relationship between the Government of Papua

New Guinea and the Government of Solomon Islands. We therefore request the Security Council to investigate the situation in accordance with Article 34 of the Charter.

In the light of these matters, we request the Security Council in accordance with the Charter to:

(a) Call upon the Government of Papua New Guinea to offer a full and public apology to the people and Government of Solomon Islands;

(b) Call upon the Government of Papua New Guinea to return immediately the Solomon Islands citizen who was abducted;

(c) Reaffirm its commitment to the Charter of the United Nations regarding respect for the sovereignty of States, with a special undertaking not to violate further the sovereign territory of Solomon Islands;

(d) Undertake to compensate the Government of Solomon Islands for this recent act of unwarranted aggression against the sovereign State of Solomon Islands;

(e) Urge the Government of Papua New Guinea immediately to seek a peaceful resolution to the crisis on Bougainville through negotiation and to ensure the full restoration of all human rights to the people of Bougainville as provided for in the Charter and general international law;

(f) Urge the Government of Papua New Guinea to cease all actions of a military nature in the region in the interest of peace, stability and regional security and to proceed with the implementation of the basis for the peaceful resolution of the matter as contained in the Honiara Declaration of January 1991, including the installation of a regional multinational peace-keeping team;

(g) Request the good offices of the Secretary-General to investigate the Solomon Islands/Papua New Guinea border circumstances surrounding the killing of two Solomon Islands citizens and the wounding of a Solomon Islands three-year-old child by Papua New Guinea Defence Force Commandos on 12 September 1992 in Solomon Islands sovereign territory.

In this connection, I wish also to enclose a note dated 15 September 1992 from my Government addressed to the Government of Papua New Guinea (see annex II).

I should be grateful if this letter and its enclosures were circulated as a document of the Security Council.

(Signed) Bernard BATA'ANISIA
Chargé d'affaires a.i.

Annex I

Note dated 23 March 1992 from the Ministry of Foreign Affairs and Trade Relations of Solomon Islands addressed to the High Commission of Papua New Guinea in Honiara

The Solomon Islands Government expresses its deepest concern over the most recent atrocities that occurred on its side of the border instigated by the Papua New Guinea defence personnel, reported and confirmed by its police personnel at Korovou.

The first incident occurred on 12 March 1992 at 8 p.m., wherein three ray boats, powered by outboard motors and carrying three armed and masked men, illegally entered Bomana Bay settlement in the Shortland Islands, and from about 70 metres offshore fired flares into the air in the direction of the fuel depot, followed by an open fire using machine-guns. The report estimated that over 70 to 90 rounds each were fired from 6 or 7 guns. This account was provided by eye-witnesses at the settlement. Women and children rushed and hid in the nearby bushes when the firing took place.

On the morning of 13 March 1992, Solomon Islands police called at the scene and a close examination of it confirmed that the arms used were M-16 rifles, evidence being the bullets stuck on coconut tree trunks. Several coconut trees, house walls and three fuel drums were damaged as a result of the open fire. The impact of gunshots on the people of Fouro Island is enormous following the incident and people are said to be living in terror, especially each time a Papua New Guinea patrol craft pointing firearms at the village is sighted as it speeds past.

The second incident occurred on 18 March 1992, when two ray boats each carrying five armed men dressed in Defence Force green uniforms again stormed the same scene (the fuel storage) at 7.30 a.m. The armed men, seeing no one around, set ablaze the fuel depot and escaped to rejoin the Papua New Guinea Patrol boat anchoring at Tuaroto Island on the latter's side of the border. About 114 drums of fuel were totally destroyed by fire and over 100 coconut trees destroyed.

Police at Korovou were called to the scene two hours later only to see the extent of the damages. It was realized that the primary purpose of the action taken by the Papua New Guinea Defence Force was to destroy what was believed to be the main source of fuel supply to Bougainville Revolutionary Army activities. Whilst that belief has yet to be ascertained, it is however alarming to note that the defence personnel are illegally and deliberately entering our waters and the islands at will, without the knowledge of the Government of Papua New Guinea and the permission of the Government of Solomon Islands, thereby violating the territorial sovereignty of Solomon Islands.

The essence of this note serves to convey to the Government of Papua New Guinea the Solomon Islands Government's serious concern over the irresponsible

behaviour of the defence personnel and disrespect for the sovereign rights of Solomon Islands. Solomon Islands considers such action as an act of terrorism unnecessarily infiltrating fear on its citizens and does not augur well for stable Solomon Islands-Papua New Guinea relations. It is therefore the foremost hope of the Solomon Islands Government that the Government of Papua New Guinea address this particular act of the Defence Force personnel with a view to putting an end to any similar actions.

Annex II

Note dated 15 September 1992 from the Ministry of Foreign Affairs and Trade Relations of Solomon Islands addressed to the High Commission of Papua New Guinea in Solomon Islands

The people and Government of Solomon Islands express with deep shock and displeasure the atrocious and sadistic acts of members of the Papua New Guinea Defence Force on innocent and unarmed civilians of Solomon Islands at Komaliae village in the Shortland Islands, which led to the unfortunate death of two Solomon Islands civilians, the wounding of a three-year-old child and the abduction of a Solomon Islands civilian and destruction of properties on Saturday, 12 September 1992. The acts of members of the Papua New Guinea Defence Force were totally unprovoked and uncalled for in the circumstances.

The specific particulars of the actions of the Papua New Guinea Defence Force are as follows. At between 0400 hours and 0430 hours on Saturday, 12 September 1992, two outboard motor-powered canoes identified as belonging the Papua New Guinea Defence Force were seen entering Komaliae village in the Shortland Islands. On reaching the shore, the soldiers went into the village, whereupon they destroyed the trade store lights and fired shots from M-16 machine-guns at the fuel drums in the compound. A woman who attempted to escape from the scene with her three-year-old child was fired at, injuring both her and her child seriously. The women subsequently died from loss of blood. Her brother, Peter Kamaraia, who came out of his house to investigate the noise, was stopped by two soldiers at gunpoint. He was shot at point-blank range while trying to free himself. These were unprovoked attacks on unarmed civilians.

The people and Government of Solomon Islands protest in the strongest possible terms the brutal killing of its citizens over an internal dispute in which they have had little part to play. The Government of Solomon Islands does not wish to pay in blood and life over a dispute that ought to be fought on the sovereign soil of Papua New Guinea. The incursions into Solomon Islands territory by members of the Papua New Guinea Defence Force is a breach of the long-established principle of international law enshrined in Article 2 (4) of the Charter of the United Nations, which prohibits Members of the United Nations to use armed force against the territorial integrity or political independence of Member States. The killing and wounding of innocent and unarmed citizens by agents of Papua New Guinea is not only a breach of the most minimum standards of human decency, but it is also a serious offence against the criminal laws of Solomon Islands. The fact that the incursions involved members of the Papua New Guinea Defence Force must raise questions pertaining to the responsibility of the Government of Papua New Guinea in international law.

The people and Government of Solomon Islands also protest against the act of piracy committed by the members of the Papua New Guinea Defence Force, and we implore the responsible authorities of the Government of Papua New Guinea

immediately to return the person of Mr. Beiaruru who was abducted on Saturday, 12 September 1992.

Not only has the Government of Papua New Guinea, through the members of its Defence Force, violated Solomon Islands territorial integrity, they have also committed serious crimes against the laws of Solomon Islands, and therefore the people and Government of Solomon Islands call for just punishment of those involved. The people and Government of Solomon Islands not only see this as a violation of their territorial sovereignty, they perceive this as a breach by the Government of Papua New Guinea of its international legal obligations specified in article 18 of the Vienna Convention on the Law of Treaties, which requires it not to do anything that would undermine the objective of a treaty that has been signed but not yet ratified. In this regard, the attention of the Government of Papua New Guinea is brought to article 2 of the Treaty between the Independent State of Papua New Guinea and Solomon Islands concerning Sovereignty, Maritime and Seabed Boundaries between the Two Countries and Cooperation on Related Matters, which was signed in Port Moresby on 25 January 1989.

Without prejudice to other diplomatic options the Government of Solomon Islands is pursuing, we would like to call upon the Government of Papua New Guinea:

(a) Immediately to give an assurance of the safety of Mr. Beiaruru, who was abducted, and his safe return to Komaliae village;

(b) To give an expression of regrets and excuses to the people and Government of Solomon Islands;

(c) To make payment of an indemnity in favour of the families of the deceased;

(d) To bring those involved in this criminal act to justice.

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Security Council

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S/24573
18 September 1992

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council at its 3115th meeting, on 18 September 1992, in connection with the Council's consideration of the item entitled "Further report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II) (S/24556)":

"The Security Council has noted with appreciation the further report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II) (S/24556), which it has studied carefully.

"It reaffirms the importance it attaches to the full implementation of the Acordos de Paz para Angola", culminating in free and fair multi-party elections on 29 and 30 September 1992. It congratulates the Angolans on their success in maintaining the cease-fire and in registering the great majority of the population to vote in the elections. It is convinced of the irreversibility of this process.

"At the same time, the Council calls on the Angolan parties to take urgent and determined steps to complete certain essential measures. These include the demobilization of the remaining Government and UNITA troops, the collection and centralized storage of weapons, and the rapid completion of the formation of the new National Angolan Armed Forces. It is also essential that the police should operate as a neutral, national force.

"The Council is also concerned at the recent deterioration of the political and security situation in Angola. It endorses the Secretary-General's appeal to President dos Santos and Dr. Savimbi to exercise leadership at this critical juncture and to ensure that their followers act with restraint and tolerance. The Council is encouraged by the reports of positive decisions reached by the two leaders at their meeting on 7 September 1992 and urges them to implement these without delay. Of particular importance is their reported agreement in principle to the formation of a government of national reconciliation after the elections.

"The Council calls upon the Angolan electoral authorities to ensure that all registered persons are given the opportunity to exercise their vote and to extend polling hours on the second day, if this should prove necessary. The Council also underlines the importance of adequate logistical planning and support and urges the donor community to move speedily to provide the remaining requirements identified in the Secretary-General's report.

"The Council is concerned that doubts have recently been expressed in Angola about UNAVEM's effectiveness and impartiality and welcomes the decision of the Secretary-General as expressed in paragraph 9 of his report to investigate thoroughly all matters raised in this regard. It expresses strong support for the Secretary-General and his Special Representative and commends UNAVEM II personnel who are tackling their challenging tasks with courage, impartiality and dedication. It urges the Angolan parties to continue to cooperate closely with the United Nations and to take all necessary steps to ensure the security of United Nations personnel and property.

"The Council takes note of a reported agreement between the Government and UNITA that the United Nations should be asked to extend UNAVEM's presence in Angola during the period of transition after the elections. It will be prepared to consider such a request if it is based on wide support in Angola and if it proposes for UNAVEM a mandate which is clearly defined in scope and time.

"The Security Council will continue to keep the situation in Angola under close review and looks forward to a further report by the Secretary-General after the elections."

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GENERAL

S/24574
18 September 1992

ORIGINAL: ENGLISH

LETTER DATED 17 SEPTEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF THAILAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform Your Excellency of Thailand's position on the status of the Federal Republic of Yugoslavia at the United Nations which is as follows. Thailand does not recognize the Federal Republic of Yugoslavia (Serbia and Montenegro) as the continuation of the Socialist Federal Republic of Yugoslavia. Consequently, Thailand cannot accept the claim by the Federal Republic of Yugoslavia that continuity of the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations should be considered as automatic. Pending the resolution of these questions, the current participation of the representatives of the Federal Republic of Yugoslavia (Serbia and Montenegro) in United Nations organs should in no way prejudice the eventual disposition of this issue.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nitya PIBULSONGGRAM
Permanent Representative

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UNITED
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Security Council

Distr.
GENERAL

S/24575
21 September 1992

ORIGINAL: ENGLISH

LETTER DATED 16 SEPTEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to transmit two notes verbales with attachments, dated 24 May 1991, from the Interests Section of the Islamic Republic of Iran in Washington to the Embassy of Algeria, which were originally notes addressed by the Foreign Ministry of the Islamic Republic of Iran to the Embassy of Switzerland (Interests Section of the United States of America) in Tehran, to be forwarded to the United States Department of State, regarding the violation of the territory of the Islamic Republic of Iran by the forces of the United States and allied forces in the Persian Gulf region.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

Annex I

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of the People's Democratic Republic of Algeria and has the honour to quote the attached messages in two copies, the original text and an unofficial translation received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text of the messages be transmitted to the United States Department of State and our office be informed of their response.

Enclosure

The Foreign Ministry of the Islamic Republic of Iran presents its compliments to the Embassy of Switzerland (Interests Section of the United States of America) and has the honour to inform the Embassy that, according to the information received, United States Army and multinational forces have attacked the Islamic Republic of Iran's territory by firing missiles and bombs as follows:

1. In the last week of January 1991, a United States warship positioned in the Persian Gulf fired two rockets towards southern Abadan.

2. On 26 January 1991 at 1330 hours, one Tomahawk missile hit an area 15 to 25 kilometres south of the city of Dezful.

3. On 29 January 1991, at 1925 hours, a United States war plane fired four rockets and hit the eastern bank of the Bahmanshir River and west of Abu Shanak road.

4. On 28 January 1991 at 1930 hours, four rockets, within a distance of 40 metres of each other, hit the agricultural land of the village of Tangeh Yek, 25 kilometres south of the city of Abadan.

5. A multinational force missile hit the extremities of the villages of Hajieh and Foladvand, 8 kilometres south of Susanguerd.

6. On 29 January 1991 at 1245 hours a missile hit the vicinity of Maroon in Aghajari.

7. On 22 January 1991 at about 2140 hours two rounds of fire hit the Alishir area (on both sides of Polbesat) and also two missiles were fired from a multinational war plane towards the territorial airspace of the Islamic Republic of Iran, north-west to south-east (close to Arvand Rud).

The Government of the Islamic Republic of Iran, by emphasizing its renewed neutral position in the current Persian Gulf hostilities, once again protests this aggression and strongly demands that it not be repeated. It is evident that the United States Government will directly be held accountable for the consequences of these unlawful and aggressive measures.

Therefore it would be appreciated if the Embassy would inform the United States officials of the Islamic Republic of Iran's protests.

Wishing the victory of the oppressed over the oppressors.

Annex II

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of the People's Democratic Republic of Algeria and has the honour to quote the attached messages in two copies, the original text and an unofficial translation received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text of the messages be transmitted to the United States Department of State and our office be informed of their response.

Enclosure

The Foreign Ministry of the Islamic Republic of Iran presents its compliments to the Embassy of Switzerland (Interests Section of the United States of America) and has the honour to inform the Embassy that, according to the information received from officials of the Government of the Islamic Republic of Iran, on 14 February 1991 at 1820 hours, a United States helicopter, after violating the territorial sea airspace of the Islamic Republic of Iran in the north-eastern part of the Persian Gulf region, attacked and chased sea-patrolling boats from a distance of four miles from the mouth of the Bahmanshir River and one fifth of a mile north of Alaniieh until half a mile from the mouth of the said river, firing missiles and shots at them while they were on routine trafficking (patrols).

The Government of the Islamic Republic of Iran, while emphasizing its renewed neutral position in the current Persian Gulf hostilities, severely protests this aggression which is an indisputable violation of its neutrality and territorial integrity, and strongly demands that this provocative measure be stopped at once. The United States Government will be held fully accountable for the consequences of this aggressive and illegal action.

Wishing the victory of the oppressed over the oppressors.

UNITED
NATIONS

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Security Council

Distr.
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S/24576
21 September 1992

ORIGINAL: ENGLISH

LETTER DATED 16 SEPTEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to transmit two notes verbales with attachments dated 27 May 1991, from the Interests Section of the Islamic Republic of Iran in Washington to the Embassy of Algeria, which were originally notes addressed by the Foreign Ministry of the Islamic Republic of Iran to the Embassy of Switzerland (Interests Section of the United States of America) in Tehran, to be forwarded to the United States Department of State, regarding the violation of the territory of the Islamic Republic of Iran by the forces of the United States and allied forces in the Persian Gulf region.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

92-45197 3458h (E) 210992 210992

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Annex I

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of the People's Democratic Republic of Algeria and has the honour to quote the attached message in two copies, the original text and an unofficial translation received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text of the message be transmitted to the United States Department of State and our office be informed of their response.

According to information received from officials of the Government of the Islamic Republic of Iran, multinational forces have violated the territorial airspace of the Islamic Republic of Iran on the following dates and at the following locations:

1. On 1 February 1991 at 1600 hours, around Kanisheikh.

2. On 1 February 1991 at 0605 hours, around Mehran.

3. On 3 February 1991 at 1530 hours, around the coastal area of Bushehr.

4. On 3 February 1991, at 1900 hours, around Abadan Island.

5. On 5 February 1991 at 1910 hours around the coastal waters of Bushehr.

6. On 7 February 1991 at 1217 hours, around the region of Cheshmeh Mahi, between Malavi and Eslam-Abad-Gharb.

7. On 8 February 1991 at 0720 hours, around Somar.

8. On 9 February 1991 at 1545 hours, around Minoo Island (Abadan).

9. On 11 February 1991 at 1100 hours, around Dehloran and Musian.

10. On 13 February 1991 at 1900 hours, around Abadan Island.

The Government of the Islamic Republic of Iran, by emphasizing its renewed neutral position in the current Persian Gulf hostilities, strongly protests these illegal actions by the United States Government.

Annex II

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of the People's Democratic Republic of Algeria and has the honour to quote the attached message in two copies, the original text and an unofficial translation received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text of the message be transmitted to the United States Department of State and our office be informed of their response.

According to information received from officials of the Government of the Islamic Republic of Iran, multinational forces violating the airspace of the Islamic Republic of Iran have created a nuisance for Iranian sea-patrolling aircraft on the following dates and at the following locations:

1. On 2 February 1991 at 1400 hours, a number of aircraft from the multinational force on route to Naftshar-Ghasr-e-Shirin carried out reconnaissance flights over an Iranian helicopter and forcefully compelled it to land.

2. On 7 February 1991 at 1210 hours, two missiles were fired from two aggressor aircraft in the extremities of Sar-e-pol-e-Zab, one of which hit an Iraqi war plane (Shokho 22) causing it to fall around the village of Panjsotoon. The second missile impacted the ground around the village of Patagh.

The Government of the Islamic Republic of Iran, by emphasizing its renewed neutral position in the current Persian Gulf hostilities, strongly protests these illegal actions by the United States Government.

UNITED
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Security Council

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S/24577
21 September 1992

ORIGINAL: ENGLISH

LETTER DATED 19 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit, enclosed herewith, the statement that I unfortunately could not deliver at the meeting of the Security Council of 19 September 1992 on the occasion of the adoption of resolution 777 (1992).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

Annex

The Federal Republic of Yugoslavia is astonished by the draft resolution before the Security Council and the recommendation to the General Assembly contained therein. The provisions of the resolution represent a grave precedent in the work of this organ and the world Organization as a whole. The decision that the Federal Republic of Yugoslavia shall not participate in the work of the General Assembly seriously threatens the principle of universality of the world Organization and its democratic character as well as its role of a guardian of the world peace and a forum for an equal cooperation among States and peoples. It has no valid political justification nor legal grounds.

The adoption of this resolution at a moment when the Geneva Conference, under the auspices of the United Nations and the European Community, is under way raises serious concerns in regard to the motive of such initiative.

The positions put forward in the draft resolution actually deny the sovereign right of the peoples of a country to preserve their own State and its international and legal personality in case of a secession of a part of a country.

Let me recall that the Constitution of the Federal Republic of Yugoslavia clearly and precisely pledged to honour all commitments of the former Socialist Federal Republic of Yugoslavia. While four former Yugoslav republics unilaterally proclaimed independence and seceded from the Socialist Federal Republic of Yugoslavia, the people of Serbia and Montenegro decided, by exercising their sovereign will, to remain in Yugoslavia. Therefore, the Constitution of the Federal Republic of Yugoslavia only sanctioned the existing realities. It protects the legitimate right of the Federal Republic of Yugoslavia to continue the international and legal personality of the Socialist Federal Republic of Yugoslavia.

On the other hand, the Federal Republic of Yugoslavia has in no way whatsoever tried to block the admission of former Yugoslav republics in the United Nations and in other international organizations. However, it has rightfully continued its membership in those organizations.

Yugoslavia has officially stated on a number of occasions that it had no territorial claims on any of its neighbours. We have advocated all along that all outstanding questions should be resolved through negotiations. The members of the Security Council should be well aware of that since they have been kept abreast of all the efforts and steps taken with a view to finding a political solution to the Yugoslav crisis.

It is not a coincidence that the proposals contained in the letter of the Prime Minister of the Federal Republic of Yugoslavia, Mr. Milan Panic, addressed to the President of the Security Council on 17 August 1992, have been accepted by the participants of the London Conference as the basis and the framework for the resolution of the Yugoslav crisis.

Yugoslavia, as one of the founding members of the United Nations, has always been committed to the principles and goals of the Charter of the United Nations and firmly believes that the United Nations is, and has always been, the major stronghold for the maintenance of international peace and security.

Exactly for that reason, we had asked that the United Nations take an active and direct involvement in the search of the political solution.

It has taken almost a year to accept that. A lot of time has already been lost. However, the United Nations, the Secretary-General and his personal envoy, Mr. Cyrus Vance, have finally taken the lead in the ongoing peace efforts, along with the Presidency of the European Community, the Right Honourable John Major and his associates.

At a time of ongoing peace negotiations under the auspices of this Organization, it is all the more so difficult to understand that the Security Council is about to rcommend that the Federal Republic of Yugoslavia should not participate in the work of the United Nations General Assembly.

We therefore consider that the resolution is unfounded and that its adoption is unjust and harmful. The non-participation of Yugoslavia in the General Assembly would undoubtedly jeopardize the initiated peace process and encourage those who do not wish to give up the war option.

Nevertheless, Yugoslavia will endure. It is a reality and without its equal and active role, including the one in the United Nations, durable and just resolution of the Yugoslav drama can hardly be expected.

UNITED
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S/24578
21 September 1992

ORIGINAL: ENGLISH

SECOND PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA

INTRODUCTION

1. On 1 May 1992, I submitted to the Security Council my first progress report on the United Nations Transitional Authority in Cambodia (UNTAC) (S/23870). I subsequently submitted two special reports (S/24090 of 12 June 1992 and S/24286 of 14 July 1992). The first of these led to a statement by the President of the Security Council on 12 June 1992 (S/24091) and the second formed the basis for deliberations by the Council that resulted in the adoption of resolution 766 (1992) of 21 July 1992. The present second progress report is submitted pursuant to paragraph 10 of resolution 745 (1992).

I. PROGRESS MADE TO DATE IN THE IMPLEMENTATION OF RESOLUTIONS 745 (1992) AND 766 (1992) AND TASKS STILL TO BE PERFORMED

A. General

2. UNTAC is now close to full deployment throughout almost the whole territory of Cambodia. However, the continuing refusal of the Party of Democratic Kampuchea (PDK) to grant UNTAC personnel access to the zones it controls or to commit its forces to cantonment as called for in the implementation plan (S/23613) gives grounds for serious concern. As explained in my second special report, PDK has introduced its own interpretations of the provisions of the Paris Agreements relating to the verification of the withdrawal and non-return of foreign forces and to the role and powers of the Supreme National Council (see S/23177, annex). PDK asserts that these provisions have not been implemented and that, until they are, it is not in a position to proceed with the implementation of the other provisions. In line with this assertion, PDK has issued a series of proposals laying down conditions under which it would be prepared to participate fully in the peace process. Although my Special Representative has carefully studied all these proposals with a view to identifying ways of accommodating PDK's concerns, it has not been possible to accept them because they are inconsistent with the Paris Agreements.

3. In other respects, however, the implementation of the mission is proceeding apace. The electoral law was adopted on 5 August 1992. Provisional registration of political parties has begun and preparations are under way for the registration of voters. It is still intended that elections will be held not later than May 1993. The repatriation of refugees and displaced persons is making steady progress; more than 115,000 had returned to Cambodia by 15 September 1992 without serious incident. The progressive installation of United Nations civilian officials in the administrative structures of the three Cambodian parties that are complying with the peace process has enabled UNTAC to establish supervision and control in accordance with its mandate. The work of the human rights and civilian police components has been extended to every province. A number of rehabilitation assistance programmes have been approved by the Supreme National Council.

B. Relations with the Supreme National Council

4. UNTAC continues to enjoy the full cooperation and support of the President of the Supreme National Council, His Royal Highness Prince Norodom Sihanouk. Twelve Council meetings have taken place since my first progress report. At these meetings, on the initiative of UNTAC, the Supreme National Council adopted a number of measures related to various aspects of UNTAC's work, as discussed below.

5. The Supreme National Council continues to function along the lines laid down in the Comprehensive Political Settlement and its relationship with UNTAC has generally been harmonious and productive, despite the constraints resulting from the failure of PDK to participate fully in the peace process. At the Council meeting held on 7 May 1992, Prince Sihanouk and the other members present signed the agreement on the legal status of UNTAC in Cambodia. In accordance with the Paris Agreements, UNTAC has kept the Supreme National Council fully informed about its activities.

C. Human rights component

6. Promotion of a better understanding of and respect for human rights and fundamental freedoms is essential in order to create an environment in which free and fair elections may take place. To achieve this, the component is active in three broad areas. First, it has encouraged the Supreme National Council to adhere to relevant international human rights instruments and has undertaken a review of the existing judicial and penal systems in the light of their provisions. Secondly, it has begun an extensive human rights information and education campaign in close cooperation with the Information/Education Division of UNTAC. Thirdly, it has investigated human rights-related complaints and taken corrective measures where necessary.

7. As of 18 September, human rights officers had been deployed in 15 of the 21 provinces. They will be deployed in three more provinces by 25 September and in the remainder by early October. In addition, two officers had been

deployed in the zones controlled by the United National Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC) and the Khmer People's National Liberation Front (KPNLF). The component has not yet been granted access to the zone controlled by PDK.

8. Following the Supreme National Council's ratification, on 20 April 1992, of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, 1/ it agreed on 10 September to accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; 2/ the International Convention on the Elimination of All Forms of Discrimination against Women; 3/ the Convention on the Rights of the Child; 4/ and the Convention 5/ and Protocol 6/ relating to the Status of Refugees.

9. In order to support indigenous human rights groups, the component has organized training sessions for local organizations, teachers, school administrators and others. It is also planning to organize in Phnom Penh an International Symposium on Human Rights in Cambodia, from 30 November to 1 December 1992.

10. More than 250 complaints of harassment and intimidation, arbitrary arrest, wrongful death, destruction of property and wrongful injury have been filed with the component. One hundred and thirty of these have been referred to other components of UNTAC, 13 have been found to be unsubstantiated, and the remainder have been investigated by the human rights component. In all investigations, the component works closely with the civilian police component.

11. Work has also begun on prison reform, although so far only in the prisons controlled by the Phnom Penh authorities. A Prisons Control Commission has been established and its review led to the release in May of 108 prisoners detained without trial and of an additional 150 such prisoners in August. In addition, the component has provided human rights briefings to UNTAC civilian police officers and United Nations Volunteers.

D. Electoral component

12. The electoral component has deployed some 150 international staff at UNTAC headquarters and in the provinces. An additional 20 are expected to arrive by the end of September. The 400 United Nations Volunteers have been almost fully deployed to the district level, while the deployment of some 1,000 locally recruited staff is also under way.

13. The electoral law, which had been submitted by UNTAC on 1 April 1992, was adopted by the Supreme National Council on 5 August and was promulgated on 12 August. It differs from the draft submitted in April in two respects. Following intensive discussions, it was decided that, in order to meet the concern expressed by the parties that the franchise be restricted to "Cambodian persons", the text of the Paris Agreements should be interpreted as giving the right to register to "every Cambodian person", defined as follows:

(a) A person born in Cambodia, at least one of whose parents was born in Cambodia; or

(b) A person, wherever born, at least one of whose parents is or was a Cambodian person within the meaning of paragraph (a).

14. Secondly, the draft law was amended to permit overseas Cambodians to vote at one polling station in Europe, one in North America and one in Australia. However, registration of voters is still to take place exclusively in Cambodia.

15. The provisional registration of political parties began on 15 August, and 14 organizations have so far expressed interest in registration. UNTAC has prepared the necessary documentation. The electoral law requires UNTAC to guarantee the right of political parties to open offices throughout the country. In discussions with UNTAC, the Phnom Penh authorities have agreed to reverse their policy of not permitting other parties to open offices in areas under their control. On 10 September 1992, my Special Representative informed the Supreme National Council that the electoral regulation giving political parties the right to open offices throughout Cambodia had come into effect. At the same meeting, Mr. Hun Sen announced that parties other than PDK would be allowed to open offices in the areas under the control of his administration. PDK would be allowed to open an office when it granted UNTAC access to its zone.

16. The registration of voters is scheduled to begin in October 1992, as called for in the implementation plan (S/23613). According to the latest population estimates, the voting population appears to be about 5 million, which is somewhat larger than the 4.3 million estimated in the implementation plan. However, UNTAC will make every effort to hold to the planned figure of around 800 registration stations. The other modalities for the electoral process are likely to remain as described in the implementation plan.

17. Uncertainty over PDK's intentions is having an adverse effect on the electoral component's planning. Moreover, it may no longer be possible to make practical arrangements for voter education, training and registration in the PDK-controlled areas if UNTAC gains access to those areas only after the electoral process has reached an advanced stage.

18. The component is currently examining a proposal to hold a presidential election simultaneously with the election for a constituent assembly. Much support for this idea has been voiced by the Cambodian parties and by Prince Sihanouk himself, who take the view that such an election would have a stabilizing effect in the period after the elections. However, a presidential election is not provided for in the Paris Agreements or the implementation plan. It would therefore require Security Council authorization, as well as the provision of additional resources.

E. Military component

19. The UNTAC military component is now almost fully deployed in Cambodia at just below its projected strength of 15,900, with 12 infantry battalions, military observers, engineers, signals, naval, air and other elements, totalling about 15,100 all ranks.

20. The component has established nine checkpoints on Cambodia's border with Viet Nam, two on the border with the Lao People's Democratic Republic and seven on that with Thailand. Checkpoints have also been established at the airports and at the port of Sihanoukville, as well as on major routes within the country. These checkpoints are supplemented by regular patrols with the purpose of discovering and discouraging unauthorized movements of armed persons and weapons, deterring banditry and establishing UNTAC's presence. In accordance with the Paris Agreements, the component is also engaged in investigating cease-fire violations and the possible presence of foreign forces and in locating arms caches.

21. Although cease-fire violations since the first progress report have been minor in nature, the refusal of PDK to allow UNTAC access to its zone and to canton its forces has seriously hampered the military component's operations. There have, in particular, been a number of cases of firing at UNTAC helicopters, most of them from areas believed to be under the control of the armed forces of PDK. My Special Representative and the Force Commander have been in regular contact with the President of PDK and his colleagues in order to seek a solution to these problems, as described in my first and second special reports. On 27 August, a senior PDK spokesman announced that the National Army of Democratic Kampuchea (NADK) was prepared to enter cantonment even before full verification of the withdrawal and non-return of foreign forces, without, however, setting a date for the entry into cantonment. The spokesman also announced NADK's intention to rejoin the Mixed Military Working Group after an absence of some three months. This took place on 17 September and is a positive development.

22. The non-cooperation of PDK has not prevented the military component from beginning the regroupment, cantonment and disarmament of the armed forces of the three factions that are complying with their obligations under the Paris Agreements. By 10 September UNTAC had cantoned more than 50,000 troops, as follows:

Cambodian People's Armed Forces	42 368
National Army of Independent Kampuchea	3 445
Khmer People's National Liberation Armed Forces	6 479
National Army of Democratic Kampuchea	-
Total	52 292

UNTAC has also taken custody of approximately 50,000 weapons.

23. About 38,000 of the cantoned troops have been granted agricultural leave in order to harvest the rice crop after having handed over their weapons and identification cards. All are subject to recall at two weeks' notice to ensure 100 per cent cantonment before the process of formal demobilization begins.

24. The component continues to train members of the Cambodian parties in mine-clearance. Eleven mine-clearance training centres have been established and some 850 soldiers have now been fully trained. The length of each training course has been doubled from two to four weeks for safety reasons. No casualties have been sustained by the trainees. About 350 are currently employed by UNTAC in mine-clearance activities, especially those directly supporting the repatriation and rehabilitation programmes and those required in connection with the continued establishment of the UNTAC infrastructure. For instance, an area of some 22,000 square metres, east of route 69 in sector 2, has been cleared of more than 1,000 mines.

F. Civil administration component

25. UNTAC's civil administration activities are governed by the Paris Agreements and the implementation plan, as well as being guided by the proposal for discussion ("non-paper") drawn up by participants in the Tokyo Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia (see S/24286, annex).

26. Over 800 members of the civil administration component - some 200 international and 600 locally recruited staff - have been deployed. Like the other components of UNTAC, civil administration personnel have so far been denied access to the PDK-controlled areas. However, the component has drawn up a plan for control of the PDK administrative structures that can be implemented as soon as UNTAC gains access to them. Contact has been established with the administrations of two other Cambodian parties, FUNCINPEC and KPNLF, and civilian controllers were sent to their zones at the end of August. However, most of the civil administration personnel have been deployed in the administrative structures of the Phnom Penh authorities.

27. The goal of direct control is to ensure a neutral environment permitting the holding of free and fair elections. To meet this goal in operational terms, the civil administration component is using three complementary means of control: control a posteriori, control a priori and appraisal. Control a posteriori is achieved through the receipt of all documentation dealing with the operation of the existing administrative structures, including the lines of decision-making, personnel policies and matériel questions. Control a priori is achieved through the component's authority to obtain prior knowledge of all decisions reached by the structures, as well as the authority to change decisions dealing, for instance, with personnel, finance and the sale of assets. Control by appraisal is achieved through the proposal of improvements in the operations of the existing administrative structures. On a day-to-day basis, these three means of direct control are exercised in

various ways, including the physical presence of civil administration personnel alongside their highest-ranking counterparts in the existing administrative structures, weekly meetings between UNTAC staff and these individuals and the establishment of clear lines of decision-making so that civil administration personnel can exert a priori control over decisions.

28. In accordance with paragraphs 102 and 103 of the implementation plan, the civil administration component asked each of the four Cambodian parties to submit a list of their current laws for review by UNTAC. With the exception of PDK, all parties complied. At the initiative of UNTAC, the Supreme National Council, at its meetings on 20 April and 5 June 1992, adopted laws enshrining the rights of freedom of association and of assembly. At its meeting on 10 September, the Supreme National Council also approved a set of principles relating to the legal system, penal law and penal procedure. The object of these was to establish uniform standards for the judiciary and for substantive law that would be applicable throughout Cambodia and would be in accordance with instruments adopted by the United Nations.

29. On 1 July 1992, the civil administration component began to exercise full control over the five key areas in the Phnom Penh administration, as specified in the Paris Agreements: foreign affairs, national defence, public security, finance and information. In Phnom Penh, between one and three civil administration personnel are currently deployed in the ministries of defence, national security, foreign affairs, consular affairs and finance and in the national bank. By 15 July, UNTAC civil administration offices had been established in all 21 provinces. At the present time there are approximately 95 international staff in the Phnom Penh office and 123 in the provinces. In addition, in accordance with annex 1, section B, paragraphs 2 and 3 of the Agreements, UNTAC has established optional control over a number of areas that have been identified as having some direct influence over the outcome of the elections.

1. Civil administration activities in Phnom Penh

(a) Foreign affairs

30. Paragraph 10 of the Proposal for Discussion states:

> "After consultation with the Supreme National Council ..., UNTAC, through its civil administration control, will supervise the issuance of visas to all foreigners seeking to enter any part of Cambodian territory. The Supreme National Council shall consider the issue of a uniform stamp, in the name of the Supreme National Council, to validate on request passports, travel documents and identity cards of Cambodians."

31. UNTAC has now established a seven-day-a-week presence at Pochentong International Airport, Phnom Penh, in order to help to resolve any immigration problems that may arise there. The civil administration component's Foreign Affairs Service has also proposed to the Phnom Penh authorities that the requirement for exit visas for Cambodians be abolished. The proposal is being considered. UNTAC has also provided Prince Sihanouk and his household, as well as the members and secretariat of the Supreme National Council, with Supreme National Council passports.

32. In addition, the component has assumed control over the receipt and distribution of foreign aid. This involves not only supervision of the relevant officials in the foreign ministry, but also officials of administrative bodies and agencies operating in this area, such as the "Comité de Réception de l'Aide Humanitaire" and the "Cambodian Red Cross".

(b) National defence

33. Officials of the component's Defence Service have inspected the Phnom Penh administrative structure dealing with defence and plan shortly to visit the FUNCINPEC and KPNLF structures. Their inspections and inquiries have revealed a high level of political activity by the Cambodian People's Party (CPP) within the armed forces of the Phnom Penh authorities. Measures are being developed to limit this activity. As of 1 September, the Service was fully staffed; periodic inspections are now being replaced by full-time and direct control over decisions. The Service has also requested that an inventory of assets be prepared.

(c) Public security

34. The exercise of control over public security, in collaboration with the civilian police and human rights components, has reached an advanced stage. In addition to compiling all existing laws and modifying those found to be incompatible with the Paris Agreements, the Public Security Service has drafted codes of conduct. The Public Security Working Group, which comprises representatives of the four parties under UNTAC chairmanship, meets twice a month.

(d) Finance

35. Direct control over this field was instituted on 1 July 1992 and was fully established in the first part of September. As regards the Phnom Penh authorities, financial controllers are present in each of the ministries, in the National Bank of Cambodia and, with six exceptions that will soon be corrected, in all provincial administrations. Specific mechanisms are in place, which enable UNTAC to examine and approve individual expenditure items. Emphasis is also being given to the most important sources of revenue, such as customs duties. As regards FUNCINPEC and KPNLF, control of expenditure and revenue is being exercised. No control can at present be exercised over PDK.

(e) Information

36. The Director of the Information/Education Division has established a working group composed of representatives of the Cambodian parties and the media in order to keep them involved in, and informed of, the actions UNTAC is taking to exercise direct control in the field of information. The Division has presented the working group with a draft media charter, which was prepared in cooperation with the human rights component. The aim of the charter is to lay down principles for the exercise of freedom of the press and of the rights and obligations of media organizations and administrative agencies, bodies and offices operating in the field of information, especially in the context of elections. Measures to ensure fair access to the media, in accordance with the Paris Agreements, will be a priority matter for discussion in the media working group. The Information Director has also visited the radio stations and press facilities of three of the four parties, the exception being PDK.

(f) Inquiries and complaints

37. In keeping with its mandate (see S/23613, para. 108), the civil administration component has also established an Inquiries and Complaints Service, which works in close collaboration with the civilian police, electoral and human rights components. The Service has already taken up some 50 complaints.

(g) Optional control

38. On 26 May the Supreme National Council agreed to an UNTAC proposal to identify, in addition to the five areas specified in the Paris Agreements, administrative agencies, bodies and offices which could directly influence the outcome of the elections and which should therefore be placed under the direct supervision or control of UNTAC. This was done in accordance with annex 1, section B, paragraph 2, of the Paris Agreements. It was agreed that the organs in question should be those dealing with public health, education, agriculture, maritime and riverine fisheries, communications and posts, energy production and distribution, navigable waters and public transport, tourism and historical monuments, mines and general administration. It was further agreed that all administrative agencies, bodies and offices other than those listed above should, in accordance with annex 1, section B, paragraph 3, of the Agreements, be subject to general supervision.

2. Civil administration activities in the provinces

39. Provincial headquarters have been established and are now operating in all 21 provinces, including the cities of Phnom Penh and Sihanoukville. The typical provincial headquarters comprises a Director, a Deputy Director, a Finance Officer and a Human Rights/Information Officer, together with support staff. As noted above, electoral officials, who work in close cooperation with civil administration personnel, have also been deployed in all provinces.

40. On 28 August 1992, UNTAC convened a meeting in Phnom Penh with the provincial governors appointed by the Phnom Penh authorities to discuss issues that had emerged in various provinces as a result of the supervision and control exercised by the UNTAC provincial directors. These included the right of non-CPP political parties to open offices in the zone controlled by the Phnom Penh authorities, land and property questions, freedom of movement and so on.

G. Civilian police component

41. Some 2,500 police officers have now been deployed out of the 3,600 provided for in the implementation plan. Arrangements for the deployment of more than half of the remaining police personnel are already in hand and consultations are being undertaken with Member States to ensure that the full authorized strength of the civilian police component is achieved as soon as possible.

42. In spite of this delay in its full deployment, the component has been able to extend its activities to all provinces. It has established a highly visible presence in Phnom Penh and at the provincial level, and is in the process of establishing police stations in the districts, as well as conducting regular patrols in the villages. It has a permanent presence in the zones of the FUNCINPEC and KPNLF in order to train and supervise their civilian police forces. At the press conference on 27 August mentioned above (para. 21), the PDK spokesman indicated that the party would send representatives to cooperate with UNTAC civilian police in seven Cambodian provinces. That cooperation has now begun.

43. The civilian police component works in close cooperation with the human rights, electoral, military, civil administration and repatriation components, and many of its activities have been referred to under those headings.

44. The component's duties also include directing the efforts of the local police force against the growing problem of banditry in the interior. In cooperation with the military component, it is discussing the supervision of checkpoints and patrols operated by the existing police forces in sensitive areas. A number of weapons have already been handed in to UNTAC civilian police monitors, who help to man UNTAC's border checkpoints.

45. In addition to his regular contacts with the Phnom Penh official responsible for public security, the UNTAC Police Commissioner also chairs a committee on traffic control with the participation of all parties except PDK. Since the arrival of UNTAC, the volume of traffic in Phnom Penh has greatly increased, causing congestion and confusion among drivers unaccustomed to heavy traffic. A number of accidents have occurred, and UNTAC's civilian police have introduced better training and traffic control procedures for police officers in the capital, as well as training courses for provincial police forces.

46. In addition to these substantive activities, the component's presence throughout the country supports the military component in "showing the flag" and assuring Cambodians of UNTAC's commitment to the peace process. The police presence, like that of the military, promotes the creation of a neutral political environment by making Cambodians aware that arbitrary abuse of power will not be tolerated. It was UNTAC civilian police officers, for example, who played a leading role in securing the release of Mr. Ieng Mouly, a KPNLF member of the Supreme National Council, when he was arrested in July by the police of the Phnom Penh authorities. On several occasions also, NADK members have presented themselves with their weapons to civilian police personnel.

H. Repatriation component

47. Since the repatriation exercise began on 30 March 1992, more than 115,000 Cambodian refugees and displaced persons have returned to their country under the auspices of UNTAC's repatriation component with the Office of the United Nations High Commissioner for Refugees (UNHCR) acting as the lead agency. This has been accomplished without any major incidents. Some 250,000 remain to be repatriated, less those who return spontaneously without UNTAC/UNHCR assistance. UNHCR is making every effort to advise refugees on the situation prevailing in their communes of final destination, particularly when they are unsafe or inaccessible.

48. After a relatively slow start, during which the country's absorption capacity was tested, the monthly rate of return has now risen to more than 30,000 and is expected to increase to as much as 40,000 during the coming dry season. Given this rate of return, the continuing cooperation of the Thai authorities and the increasing eagerness of the border population to return to their homeland, the likelihood that most returnees will be home in time to take part in the electoral process is very high. Repatriation is being carried out by air, road, rail and, especially during the current rainy season, by boat.

49. Despite efforts to diversify the options for the returnees - e.g., offering them cash instead of land and building materials - the shortage of available and safe land still gives rise to concern. The slow pace of mine-clearing and continuing disputes over the ownership of land contribute to this scarcity, which is compounded by the prevalence in some parts of the country of banditry and malaria. However, the search for land has now been extended to the centre and east of the country, which are proving quite promising. In July 1992 UNHCR signed with the non-governmental organization Handicap International an agreement that provides for the recruitment of Cambodian mine clearance personnel trained and supervised by UNTAC.

50. The speed of return is such that the three smaller camps on the border - O'Trao, Site K and Sok Sann - will be closed during October 1992. PDK has made no attempt to obstruct or interfere with the 35,000 or so persons who have returned to Cambodia from camps controlled by it. Indeed, PDK has in some respects been cooperative with the repatriation component of UNTAC.

UNHCR has also taken steps to address the security situation at the largest refugee camp, Site 2, which has suffered from chronic law-and-order problems.

51. While most returnees so far have been repatriated to areas administered by the Phnom Penh authorities, more than 6,000 have been transported directly, at their request, to the KPNLF zone and movements of returnees wishing to go to the FUNCINPEC zone will soon begin. As long as UNTAC has no free access to the PDK zone, there are no plans to transport and assist returnees there. However, some may be going there of their own accord.

I. Rehabilitation component

52. Shortly after the establishment of UNTAC in Cambodia, a Technical Advisory Committee of the Supreme National Council was set up under the chairmanship of the UNTAC Director of Rehabilitation in order to facilitate the approval of projects with the consensus of the four parties. PDK initially refused to cooperate with the work of the Technical Advisory Committee because it considered that many of the projects under consideration tended de facto to support the Phnom Penh authorities through balance-of-payments and budgetary support, to the detriment of the other parties. However, since the Tokyo Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia held in June 1992, at which the international community pledged nearly $880 million in aid to Cambodia, PDK has adopted a more positive attitude.

53. UNTAC has always made clear that international aid would be applied under its general direction, and would be designed to improve the lives of all Cambodians irrespective of party affiliation. In this respect, it is guided by paragraph 11 of the proposal for discussion elaborated at the Tokyo Conference, which states:

> "It is a fundamental principle that multilateral assistance and budget support activities coordinated through UNTAC during the rehabilitation period shall be designated to the Supreme National Council and shall be disbursed when UNTAC can supervise the delivery or expenditure of money. In any United Nations documents referring to assistance or budget support for 'Cambodia' or for 'the Cambodian authorities', it is clearly understood that these terms refer to the whole territory of Cambodia or to the administrations of all Cambodian parties. It is also clearly understood that budgetary support to pay or subsidize the salaries of teachers, administrators, officials, health workers, etc., in 'Cambodia' is applicable according to need of the territory or administration controlled by each Cambodian Party."

The rehabilitation component is also guided by paragraph 12 of resolution 766 (1992).

54. At the Supreme National Council meeting of 16 July, UNTAC presented a list of 10 programmes totalling more than $187 million. The largest of these were the United Nations Children's Fund (UNICEF) programme of cooperation ($89 million), a three-year programme funded and executed by UNICEF and aimed at improving drinking water supply and sanitation, schools, health services and food security, as well as support for disadvantaged women and assistance to handicapped and disadvantaged children. The second major programme proposed was an aide-mémoire for an Asian Development Bank (AsDB) soft loan for $74.4 million covering projects in transport, power, agriculture and education. The four Cambodian parties supported 9 of the 10 proposed programmes, but PDK opposed borrowing from an international financial institution until such time as the issue of the role and powers of the Supreme National Council was resolved. In the event, all ten programmes were approved by the President of the Supreme National Council, in accordance with the powers granted to him under the Paris Agreements.

55. On 24 August 1992, the Supreme National Council approved seven other programmes with a total funding of over $15 million and on 10 September a further six totalling some $27 million.

56. The activities of the rehabilitation component are also guided by paragraph 9 of the Tokyo proposal for discussion, which reads as follows:

> "All foreign trade and investment agreements by all Cambodian parties shall be reported to the Supreme National Council secretariat and subject to UNTAC oversight in consultation with the Supreme National Council."

57. The attention of the Supreme National Council had been drawn to the problem of the overexploitation of Cambodia's natural resources. At its 7 May meeting, the Deputy Special Representative had pointed out that the rapid depletion of the country's timber stock and gem mines could not only have grave environmental consequences but could also affect the vital interests and the future of Cambodia in other ways. He invited the Supreme National Council to consider the possibility of establishing a mechanism for reviewing and examining the different contractual arrangements relating to the exploitation of natural resources.

58. Following the renewed attention given to this matter in the Tokyo proposal for discussion, the Supreme National Council decided on 23 July to set up another Technical Advisory Committee, also under the chairmanship of UNTAC's Director of Rehabilitation, to formulate and recommend to the Supreme National Council specific measures for dealing with the issue. The Technical Advisory Committee is now considering the merits of recommending to the Supreme National Council that it declare, inter alia, a country-wide moratorium on the export of logs from Cambodia.

J. Information/Education Division

59. The role of the Information/Education Division of UNTAC is to explain to Cambodians throughout the country the essence of the Paris Agreements and UNTAC's nature, objectives and activities. After two decades of fighting and international isolation, many Cambodians are little aware of the international community's efforts to assist their country. Many are sceptical about the applicability in Cambodia of basic concepts of human rights, including free and fair elections and multiparty political campaigning.

60. All four Cambodian Parties maintain their own broadcasting stations, each of which offers its audience a more or less one-sided version of current affairs. While the radio stations of three of the parties have cooperated with UNTAC by broadcasting information on the peace process and the United Nations role, the PDK radio has become increasingly hostile towards UNTAC and PDK has declined to broadcast UNTAC information and public awareness programmes.

61. The Division has undertaken a range of other activities to get its message across to Cambodians in all parts of the country and to counteract negative propaganda aimed at UNTAC. These include the production of audiovisual material in the Khmer language, which is distributed throughout the country by UNTAC military, police and civilian personnel.

62. The main vehicle for spreading the UNTAC message, however, is medium wave (AM) radio. Plans to acquire more equipment for producing UNTAC radio materials are now considerably advanced, and it is hoped that UNTAC's own broadcasting capacity will begin in October and reach its full operational potential by December. UNTAC plans to use one of the powerful transmitters of the Phnom Penh authorities as the core of its own operations beginning in October; but as that transmitter does not cover the entire country, relay transmitters for the provinces will be necessary. In the meantime, arrangements have been made with the Thai Foreign Ministry and Voice of America (VOA) for a VOA transmitter in Thailand to broadcast UNTAC materials at prime time twice daily.

63. The production of information is hampered by the language barrier. The great majority of Cambodians speak only Khmer, which requires the translation into that language of all information materials. Strenuous efforts are being made to identify and recruit properly qualified translators, but the number of these remains very limited.

64. The provision of information about UNTAC to Cambodians will continue to be important, particularly if PDK's non-cooperation continues. UNTAC will also have to ensure that all registered political parties have free access to the media and that detailed information is available to voters on the registration and voting procedures for the elections.

II. CONCLUSIONS AND RECOMMENDATIONS

65. UNTAC has made substantial strides towards its goals in the six months since its inception despite constraints imposed by the refusal of PDK to participate fully in the peace process, in particular the second phase of the cease-fire. Following the adoption of the electoral law, provisional registration of parties has begun and registration of voters is about to begin. Extensive military deployment across most of the country and a strong police presence extending to the village level have been established. More than 115,000 refugees and displaced persons have been safely repatriated. The international community has pledged $880 million to meet the essential rehabilitation needs of the country. Supervision and control over the existing administrative structures of three of the parties have been established and are being strengthened. UNTAC continues to inform Cambodians of their human rights and to foster the protection of those rights. All UNTAC's activities are becoming increasingly familiar to Cambodians throughout the country as a result of the information and public awareness campaign. UNTAC has thus acquired a powerful momentum that has enabled it to move ahead simultaneously on many fronts. Its presence has already had a profound and probably lasting impact on Cambodia. These achievements would not have been possible without the continuing support of the Security Council and the international community, the full cooperation of His Royal Highness Prince Sihanouk and the positive attitude and goodwill of the great majority of Cambodians.

66. Having carefully reviewed what UNTAC has accomplished so far, as well as the obstacles it has faced, I remain determined that the electoral process should be carried out in accordance with the timetable laid down in the implementation plan. While the attitude of PDK has limited implementation of the plan, UNTAC has consistently stressed that the door is still open to PDK to participate fully and constructively in the peace process and that the military component stands ready to undertake the cantonment of NADK forces. My Special Representative has also made it clear that, in accordance with the Paris Agreements, UNTAC must be given unhindered access to PDK-controlled areas and that all its components must be allowed to operate as required in those areas in order to discharge their respective functions.

67. Meanwhile, UNTAC will press forward with the implementation of all the provisions of the Paris Agreements, including those concerning the verification of the withdrawal and non-return of foreign forces and the cessation of outside military assistance to the Cambodian parties. This may require an increase in the number of checkpoints within the country and along its borders with one or more of the neighbouring countries, as well as appropriate modifications in the manning of those checkpoints and an updating of their terms of reference. More intensive military investigations and patrols may also be required.

68. That said, the persistent failure of the PDK to meet the obligations it assumed when it signed the Paris Agreements obstructs the full implementation of those Agreements. The present drift in the peace process cannot be allowed

to continue without seriously impairing UNTAC's ability to carry out its mandate within the time-frame set by the Security Council. It is clear that the time is approaching when some difficult decisions regarding ways and means of pursuing this operation will have to be seriously considered. Naturally such decisions should be taken only when the international community is satisfied that every effort to resolve the present difficulties has been made. UNTAC will therefore continue to work closely with the parties and the Supreme National Council to identify possible solutions within the framework of the Paris Agreements.

69. For UNTAC to achieve its objectives, the continuing support of the international community, particularly of neighbouring countries as called for in resolution 766 (1992), will be invaluable, not least in helping to communicate to the leadership of PDK the firm resolve of the United Nations that UNTAC should implement its mandate vigorously and to the full. The support of the Security Council itself is of special importance. The Council may wish to take further action to impress upon the parties the international community's firm determination to press ahead with the implementation of the settlement, so as to bring peace to Cambodia and enable the Cambodian people to look to a better and more stable future.

70. In this connection, I intend, subject to the approval of the Security Council, to request the co-Chairmen of the Paris Conference to undertake, within a definite time-frame, consultations as provided for by article 29 of the Paris Agreements. These consultations would be carried out in close cooperation with myself and my Special Representative, with the aim of finding a way out of the present impasse or, if that should prove impossible, exploring appropriate steps to ensure the realization of the fundamental objectives of the Paris Agreements.

Notes

1/ General Assembly resolution 2200 A (XXI), annex.

2/ General Assembly resolution 39/46, annex.

3/ General Assembly resolution 34/180, annex.

4/ General Assembly resolution 44/25, annex.

5/ United Nations, Treaty Series, vol. 189, No. 2545.

6/ United Nations, Treaty Series, vol. 606, No. 8791.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24579
21 September 1992

ORIGINAL: ENGLISH

LETTER DATED 16 SEPTEMBER 1992 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to paragraph 2 of my report of 20 August 1992 on the situation concerning Western Sahara (S/24464).

The tour of duty of Brigadier-General Luis Block Urban (Peru), who has been serving as Acting Force Commander of the United Nations Mission for the Referendum in Western Sahara (MINURSO) since 24 April 1992, will come to an end on 30 September 1992. Following the usual consultations, it is my intention to appoint Colonel André Van Baelen of Belgium to the post of Acting Force Commander of MINURSO, with effect from 1 October 1992. The Government of Belgium has informed me that it is willing to make Colonel Van Baelen available for this purpose and that he will be promoted to the rank of Brigadier-General upon his appointment.

I should be grateful if you would bring this matter to the attention of members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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UNITED
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Security Council

Distr.
GENERAL

S/24580
21 September 1992
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 21 SEPTEMBER 1992 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 16 September 1992 concerning the appointment of the Acting Force Commander of the United Nations Mission for the Referendum in Western Sahara (MINURSO) (S/24579) has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter.

(Signed) José AYALA LASSO
President of the Security Council

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UNITED
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Security Council

Distr.
GENERAL

S/24581
21 September 1992

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OPERATION IN CYPRUS

1. The present report is submitted pursuant to paragraph 2 of resolution 759 (1992) of 12 June 1992, in which the Security Council requested me, after consulting the troop-contributing Governments of the United Nations Peace-keeping Force in Cyprus (UNFICYP) as envisaged in paragraph 56 of my report to the Security Council of 31 May 1992 (S/24050 and Add.1), to submit specific proposals to the Council no later than 1 September 1992 on the restructuring of the Force, such proposals to be based on the realistic options available in current circumstances.

2. In my letter of 21 August 1992 to the President of the Security Council I explained the reasons that made it necessary to postpone the consultations requested by the Security Council, resulting in the delayed submission of the present report.

3. The consultations duly took place on 9 and 10 September 1992. They were chaired by the Under-Secretary-General for Peace-keeping Operations, Mr. Marrack Goulding, who was assisted by the Force Commander of UNFICYP, Major-General Michael Minehane. Each of the eight contributing countries (Australia, Austria, Canada, Denmark, Finland, Ireland, Sweden and the United Kingdom of Great Britain and Northern Ireland) were represented. Most of their delegations included experts from capitals, who had come to New York for the purpose.

4. After briefing the representatives of the contributing countries on the current operational situation in Cyprus and on the results of the proximity talks on the set of ideas (see my report of 21 August 1992 (S/24472)), the Secretariat stated the following views:

(a) The normal practice when establishing a United Nations peace-keeping operation was to define the operation's mandate and then to calculate the resources required to implement it; the mandate should determine the resources and not vice versa;

(b) In the case of UNFICYP, a careful review of the Force's mandate and resources had been carried out in November 1990 (see S/21982 of

7 December 1990). Following the adoption of resolution 759 (1992), the Secretariat had re-examined the results of that review and had concluded that they remained valid both as regards the Force's mandate and the resources required to carry it out. A prerequisite for restructuring the Force would therefore seem to be a change in its mandate;

(c) However, the inability of some of the existing troop contributors to maintain their present contributions, and the impossibility of finding replacements for them under the present system of financing, seemed to make it inevitable that a change in the mandate would have to be re-examined;

(d) In the Secretariat's view, however, it would not be proper to address that question at that time;

(e) Under resolution 774 (1992) of 26 August 1992, the Security Council had expressed its expectation that an overall framework settlement would be concluded in 1992 and that 1993 would be the transitional period during which the settlement would be implemented. The Council had gone on to reaffirm that the status quo was not acceptable and had called upon the Secretary-General to recommend alternative courses of action to resolve the Cyprus problem if an agreement did not emerge from the talks that would reconvene in October;

(f) The above decisions of the Security Council implied that by the beginning of 1993 either an overall framework agreement would have been concluded and a transitional period would have begun or an agreement would not have been concluded and the Council would be considering alternative courses of action. Either eventuality could be expected to lead to changes in the UNFICYP mandate; only then would it become possible to define and evaluate options for changing the Force's structure and size.

In view of those considerations, the Secretariat asked whether the troop-contributing countries would be prepared to put on hold the plans that they had already communicated to the Secretariat for withdrawing or reducing their contingents in UNFICYP.

5. Most of the contributing countries, while acknowledging that a critical moment had been reached in the efforts of successive Secretaries-General to assist the parties in Cyprus in reaching a settlement, argued that the time had come for change in UNFICYP, that the status quo could not be maintained and that decisions must be taken now. Their authorities believed that the Force could maintain its existing mandate with fewer resources and that, in particular, savings could be achieved if some of the tasks were entrusted to military observers rather than infantry units. Their desire to reduce their contributions also reflected the fact that they had all responded positively to requests to contribute military personnel to the new peace-keeping operations that had been set up during 1992. None of them was able to put its planned reduction on hold until the outcome of the next round of political talks was known.

6. Before the consultations began, contributing Governments had already given the Secretariat more or less firm indications that they would be reducing their contingents as follows:

(a) Austria: reduction of its contingent by 63 soldiers (approximately 15 per cent) by 15 December 1992;

(b) Canada: possible withdrawal of 61 support personnel (approximately 10 per cent) at an unspecified time;

(c) Denmark: withdrawal of its infantry battalion, numbering 323 personnel, by 15 December 1992;

(d) Finland: withdrawal of its entire contingent of seven persons by the end of 1993;

(e) United Kingdom: savings of 25 per cent of the costs of its participation in UNFICYP, to be achieved by 15 December 1992.

7. On the basis of indications (a) to (d) above and pending confirmation and elucidation of (e), the Force Commander had prepared a plan that in his judgement provided the most viable short-term option for absorbing the effect of the reductions in the Austrian and Danish contingents and retaining the greatest possible capability to continue carrying out the present mandate of UNFICYP. That would be achieved by restructuring and reorganizing the Force on a three-sector, three-battalion basis, with the United Kingdom contingent assuming responsibility for the whole of the sector at present controlled by the Danish contingent. Even so, the Force's ability to maintain surveillance of the buffer zone would be diminished. The number of observation posts would have to be reduced, as would the frequency of patrolling on foot as well as the Force's reaction capability.

8. During the consultations, the United Kingdom delegation stated that the bulk of its planned reductions would comprise the whole of the Force scout car squadron, which had hitherto been the core element in the Force's rapid reaction capability and which would have played a key role in the Force Commander's above-mentioned plan to absorb the effects of the imminent Austrian reduction and Danish withdrawal. The size of the Force Reserve would as a consequence be reduced and the Force Commander would no longer have the capacity to react with sufficient strength and speed to violations of the buffer zone and to other incidents that could lead to an increase in tension. The Force Commander was obliged therefore to conclude that the withdrawal of the Force scout car squadron at the same time as the Danish battalion would further compromise his ability to implement the existing mandate.

9. The consultations also reviewed the arguments for and against the use of military observers in UNFICYP. Most of the contributing countries believed that at least some of the tasks currently performed by the Force could be carried out more economically if military observers were to be used instead of infantry units. They saw that as the most promising way of reducing the cost

of their contributions to the Force and cited the use of military observers in other peace-keeping operations. The Secretariat said that, for reasons set out at length in the 1990 review report, they did not believe that military observers, except on a very limited scale, would preserve the Force's present ability not only to observe developments in the buffer zone but also to intervene rapidly to bring under control that the deployment of sufficient observers to maintain a credible level of surveillance of the buffer zone would create considerable additional operational costs for the United Nations which could well exceed those incurred at present. If voluntary contributions failed to produce the resources needed to cover these costs, the military observer option would become unviable. Governments had perforce had to accept very late reimbursement of their extra and extraordinary costs; military observers could not be asked to accept late payment of their local living costs.

10. The consultations confirmed the validity of the statement in the 1990 review report that "UNFICYP's current reliance on voluntary contributions to finance the costs for which the United Nations is responsible will jeopardize its future and should be changed to assessed contributions" (S/21982, para. 53 (d)). The contributing Governments have been commendably tolerant of the inadequate and unfair financial arrangements for UNFICYP. But now, as their recent decisions have shown, their patience has run out and UNFICYP in its present form will shortly become unviable unless the Security Council decides to change the basis of the Force's financing.

11. The consequences of this situation cannot, however, be addressed until the outcome of the next and decisive round of talks is known. If those talks succeed and 1993 becomes the transitional period for the implementation of a settlement, the tasks of UNFICYP may become even more extensive, albeit for a period of fixed duration. In that case, it would have to be restored to its present strength, and perhaps enlarged, which might only be achievable if a more satisfactory system of financing was accepted by the Security Council. If, on the other hand, the talks do not succeed, the future of UNFICYP will have to be examined in the light of the alternative courses of action that the Council might then decide to take in order to resolve the Cyprus problem.

12. Meanwhile, I have instructed the Force Commander to absorb as best he can the effects of the forthcoming reductions in the Force's strength and to use his best endeavours to maintain effective control of the buffer zone, as well as carrying out UNFICYP humanitarian functions. He will endeavour to do so with the continued cooperation of both sides. It is to be recognized, however, that when all the reductions foreseen for the current mandate period have been effected the resources available to the Force Commander will fall short of the minimum judged necessary to carry out the Force's existing tasks. This makes it all the more important that both sides should exercise the greatest possible restraint and make every effort to avoid incidents that could lead to tension in the buffer zone. I appeal to them to do so.

UNITED
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GENERAL

S/24581*
23 September 1992

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OPERATION IN CYPRUS

1. The present report is submitted pursuant to paragraph 2 of resolution 759 (1992) of 12 June 1992, in which the Security Council requested me, after consulting the troop-contributing Governments of the United Nations Peace-keeping Force in Cyprus (UNFICYP) as envisaged in paragraph 56 of my report to the Security Council of 31 May 1992 (S/24050 and Add.1), to submit specific proposals to the Council no later than 1 September 1992 on the restructuring of the Force, such proposals to be based on the realistic options available in current circumstances.

2. In my letter of 21 August 1992 to the President of the Security Council I explained the reasons that made it necessary to postpone the consultations requested by the Security Council, resulting in the delayed submission of the present report.

3. The consultations duly took place on 9 and 10 September 1992. They were chaired by the Under-Secretary-General for Peace-keeping Operations, Mr. Marrack Goulding, who was assisted by the Force Commander of UNFICYP, Major-General Michael Minehane. Each of the eight contributing countries (Australia, Austria, Canada, Denmark, Finland, Ireland, Sweden and the United Kingdom of Great Britain and Northern Ireland) were represented. Most of their delegations included experts from capitals, who had come to New York for the purpose.

4. After briefing the representatives of the contributing countries on the current operational situation in Cyprus and on the results of the proximity talks on the set of ideas (see my report of 21 August 1992 (S/24472)), the Secretariat stated the following views:

(a) The normal practice when establishing a United Nations peace-keeping operation was to define the operation's mandate and then to calculate the resources required to implement it; the mandate should determine the resources and not vice versa;

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* Reissued for technical reasons.

(b) In the case of UNFICYP, a careful review of the Force's mandate and resources had been carried out in November 1990 (see S/21982 of 7 December 1990). Following the adoption of resolution 759 (1992), the Secretariat had re-examined the results of that review and had concluded that they remained valid both as regards the Force's mandate and the resources required to carry it out. A prerequisite for restructuring the Force would therefore seem to be a change in its mandate;

(c) However, the inability of some of the existing troop contributors to maintain their present contributions, and the impossibility of finding replacements for them under the present system of financing, seemed to make it inevitable that a change in the mandate would have to be re-examined;

(d) In the Secretariat's view, however, it would not be proper to address that question at that time;

(e) Under resolution 774 (1992) of 26 August 1992, the Security Council had expressed its expectation that an overall framework settlement would be concluded in 1992 and that 1993 would be the transitional period during which the settlement would be implemented. The Council had gone on to reaffirm that the status quo was not acceptable and had called upon the Secretary-General to recommend alternative courses of action to resolve the Cyprus problem if an agreement did not emerge from the talks that would reconvene in October;

(f) The above decisions of the Security Council implied that by the beginning of 1993 either an overall framework agreement would have been concluded and a transitional period would have begun or an agreement would not have been concluded and the Council would be considering alternative courses of action. Either eventuality could be expected to lead to changes in the UNFICYP mandate; only then would it become possible to define and evaluate options for changing the Force's structure and size.

In view of those considerations, the Secretariat asked whether the troop-contributing countries would be prepared to put on hold the plans that they had already communicated to the Secretariat for withdrawing or reducing their contingents in UNFICYP.

5. Most of the contributing countries, while acknowledging that a critical moment had been reached in the efforts of successive Secretaries-General to assist the parties in Cyprus in reaching a settlement, argued that the time had come for change in UNFICYP, that the status quo could not be maintained and that decisions must be taken now. Their authorities believed that the Force could maintain its existing mandate with fewer resources and that, in particular, savings could be achieved if some of the tasks were entrusted to military observers rather than infantry units. Their desire to reduce their contributions also reflected the fact that they had all responded positively to requests to contribute military personnel to the new peace-keeping operations that had been set up during 1992. None of them was able to put its planned reduction on hold until the outcome of the next round of political talks was known.

6. Before the consultations began, contributing Governments had already given the Secretariat more or less firm indications that they would be reducing their contingents as follows:

(a) Austria: reduction of its contingent by 63 soldiers (approximately 15 per cent) by 15 December 1992;

(b) Canada: possible withdrawal of 61 support personnel (approximately 10 per cent) at an unspecified time;

(c) Denmark: withdrawal of its infantry battalion, numbering 323 personnel, by 15 December 1992;

(d) Finland: withdrawal of its entire contingent of seven persons by the end of 1993;

(e) United Kingdom: savings of 25 per cent of the costs of its participation in UNFICYP, to be achieved by 15 December 1992.

7. On the basis of indications (a) to (d) above and pending confirmation and elucidation of (e), the Force Commander had prepared a plan that in his judgement provided the most viable short-term option for absorbing the effect of the reductions in the Austrian and Danish contingents and retaining the greatest possible capability to continue carrying out the present mandate of UNFICYP. That would be achieved by restructuring and reorganizing the Force on a three-sector, three-battalion basis, with the United Kingdom contingent assuming responsibility for the whole of the sector at present controlled by the Danish contingent. Even so, the Force's ability to maintain surveillance of the buffer zone would be diminished. The number of observation posts would have to be reduced, as would the frequency of patrolling on foot as well as the Force's reaction capability.

8. During the consultations, the United Kingdom delegation stated that the bulk of its planned reductions would comprise the whole of the Force scout car squadron, which had hitherto been the core element in the Force's rapid reaction capability and which would have played a key role in the Force Commander's above-mentioned plan to absorb the effects of the imminent Austrian reduction and Danish withdrawal. The size of the Force Reserve would as a consequence be reduced and the Force Commander would no longer have the capacity to react with sufficient strength and speed to violations of the buffer zone and to other incidents that could lead to an increase in tension. The Force Commander was obliged therefore to conclude that the withdrawal of the Force scout car squadron at the same time as the Danish battalion would further compromise his ability to implement the existing mandate.

9. The consultations also reviewed the arguments for and against the use of military observers in UNFICYP. Most of the contributing countries believed that at least some of the tasks currently performed by the Force could be carried out more economically if military observers were to be used instead of infantry units. They saw that as the most promising way of reducing the cost

of their contributions to the Force and cited the use of military observers in other peace-keeping operations. The Secretariat said that, for reasons set out at length in the 1990 review report, they did not believe that military observers, except on a very limited scale, would preserve the Force's present ability not only to observe developments in the buffer zone but also to intervene rapidly to bring under control incidents which threatened to escalate. They also pointed out that the deployment of sufficient observers to maintain a credible level of surveillance of the buffer zone would create considerable additional operational costs for the United Nations which could well exceed those incurred at present. If voluntary contributions failed to produce the resources needed to cover these costs, the military observer option would become unviable. Governments had perforce had to accept very late reimbursement of their extra and extraordinary costs; military observers could not be asked to accept late payment of their local living costs.

10. The consultations confirmed the validity of the statement in the 1990 review report that "UNFICYP's current reliance on voluntary contributions to finance the costs for which the United Nations is responsible will jeopardize its future and should be changed to assessed contributions" (S/21982, para. 53 (d)). The contributing Governments have been commendably tolerant of the inadequate and unfair financial arrangements for UNFICYP. But now, as their recent decisions have shown, their patience has run out and UNFICYP in its present form will shortly become unviable unless the Security Council decides to change the basis of the Force's financing.

11. The consequences of this situation cannot, however, be addressed until the outcome of the next and decisive round of talks is known. If those talks succeed and 1993 becomes the transitional period for the implementation of a settlement, the tasks of UNFICYP may become even more extensive, albeit for a period of fixed duration. In that case, it would have to be restored to its present strength, and perhaps enlarged, which might only be achievable if a more satisfactory system of financing was accepted by the Security Council. If, on the other hand, the talks do not succeed, the future of UNFICYP will have to be examined in the light of the alternative courses of action that the Council might then decide to take in order to resolve the Cyprus problem.

12. Meanwhile, I have instructed the Force Commander to absorb as best he can the effects of the forthcoming reductions in the Force's strength and to use his best endeavours to maintain effective control of the buffer zone, as well as carrying out UNFICYP humanitarian functions. He will endeavour to do so with the continued cooperation of both sides. It is to be recognized, however, that when all the reductions foreseen for the current mandate period have been effected the resources available to the Force Commander will fall short of the minimum judged necessary to carry out the Force's existing tasks. This makes it all the more important that both sides should exercise the greatest possible restraint and make every effort to avoid incidents that could lead to tension in the buffer zone. I appeal to them to do so.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24582
22 September 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 21 SEPTEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have to inform you that United States aircraft continued their violations of Iraqi airspace for purposes of observation and provocation during the period 8/9 September to 17/18 September 1992, as follows:

8-9 September 1992

(a) Northern region: 21 sorties, flown F-16, F-4, Jaguar and Mirage aircraft at speeds of 600 to 800 kilometres per hour and at altitudes of 6,000 to 6,500 metres, centred over Mosul, Irbil, Dohuk, Tall Afar and Amadiyah.

(b) Southern region: 56 sorties, flown by F-4, F-15, F-16 and Mirage aircraft at speeds of 600 to 900 kilometres per hour and at altitudes of 5,000 to 12,000 metres, centred over Amarah, Salman, Nasiriyah, Basra, Qurnah and Al-Khadr. At 14.38 hours on 8 September 1992, a formation of two F-15s crossed the 32nd parallel to a depth of 20 kilometres in the Ali al-Sharqi area at a speed of 720 kilometres per hour and at an altitude of 7,000 metres.

11-12 September 1992

(a) Northern region: 23 sorties, flown by F-4, Mirage and other aircraft at speeds of 700 to 900 kilometres per hour and at altitudes of 3,000 to 19,000 metres, centred over Mosul, Irbil, Tall Afar, Amadiyah and Zakho.

(b) Southern region: 69 sorties, flown by F-15, F-16 and other aircraft at speeds of 800 to 900 kilometres per hour and at altitudes of 5,000 to 10,000 metres, centred over Basra, Amarah, Nasiriyah, Salman and Busayyah.

12-13 September 1992

(a) Northern region: 12 sorties, flown at speeds of 600 to 900 kilometres per hour and at an altitude of 6,000 metres, centred over Mosul, Dohuk, Irbil, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 84 sorties, flown by F-14, F-15, F-16 and Mirage aircraft at speeds of 600 to 900 kilometres per hour and at altitudes of 5,000 to 10,000 metres, centred over Nasiriyah, Basra, Amarah, Qurnah, Artawi, Jalibah, Busayyah and Salman.

13-14 September 1992

(a) Northern region: 3 sorties, flown at speeds of 600 to 900 kilometres per hour and at an altitude of 4,000 metres, centred over Zakho and Amadiyah.

(b) Southern region: 106 sorties, flown by F-14, F-15, F-16 and other aircraft at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 12,000 metres, centred over Busayyah, Nasiriyah, the area to the south of Diwaniyah, Amarah and Basra. At 13.25 hours on 13 September 1992, a TR-1 aircraft crossed the 32nd parallel twice in succession, to depths of 20 and 25 kilometres, at an altitude of 20,000 metres over the marshlands area.

14-15 September 1992

(a) Northern region: 30 sorties, flown by F-4, Mirage and other aircraft at speeds of 600 to 800 kilometres per hour and at altitudes of 5,000 to 6,000 metres, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 76 sorties, flown by F-14, F-15, F-16 and other aircraft at speeds of 700 to 900 kilometres per hour and at altitudes of 6,000 to 10,000 metres, centred over Basra, Nasiriyah, Amarah, Busayyah and the areas to the south of Najaf and Diwaniyah.

15-16 September 1992

(a) Northern region: 29 sorties, flown by F-4, Mirage and other aircraft at speeds of 600 to 900 kilometres per hour and at altitudes of 2,000 to 8,000 metres, centred over Mosul, Irbil, Dohuk, Amadiyah, Rawanduz, Tall Afar and Zakho.

(b) Southern region: 73 sorties, flown by F-4, F-14, F-15, F-16, Mirage and other aircraft at speeds of 600 to 900 kilometres per hour and at altitudes of 7,000 to 10,000 metres, centred over Basra, Amarah, Nasiriyah, Samawah, Shatrah, Artawi, Jalibah, Salman and Busayyah.

16-17 September 1992

(a) Northern region: 14 sorties, flown by A-10, F-16 and other aircraft at speeds of 600 to 900 kilometres per hour and at altitudes of 5,000 to 7,000 metres, centred over Zakho, Amadiyah, Dohuk, Tall Afar, Sinjar, Mosul and Irbil.

(b) Southern region: 49 sorties, flown by F-4, F-14, F-15 and other aircraft at speeds of 600 to 900 kilometres per hour and at altitudes of 7,000 to 9,000 metres, centred over Basra, Amarah, Nasiriyah and Busayyah.

17-18 September 1992

(a) Northern region: 17 sorties, flown at speeds of 600 to 900 kilometres per hour and at altitudes of 5,000 to 9,000 metres, centred over Mosul, Irbil, Dohuk, Zakho, Amadiyah and Tall Afar.

(b) Southern region: 53 sorties, flown by F-4, F-15, F-16 and other aircraft at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 8,000 metres, centred over Basra, Amarah, Nasiriyah, Salman, the area to the south of Diwaniyah and Busayyah.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED
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Security Council

Distr.
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S/24583
23 September 1992

ORIGINAL: ENGLISH

LETTER DATED 22 SEPTEMBER 1992 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Please find enclosed the submission of the Government of the United States of America as required by paragraph 5 of Security Council resolution 771 (1992).

We are also attaching the Helsinki Watch report on war crimes in Bosnia and Herzegovina and the draft report of the Thompson Conference on Security and Cooperation in Europe mission to the detention camps in Bosnia and Herzegovina.* We encourage you to consider these documents as well.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Alexander F. WATSON
Ambassador
Deputy Representative

* These two reports may be consulted in room S-3520.

Annex

Submission of information to the United Nations Security Council in accordance with paragraph 5 of resolution 771 (1992)

INTRODUCTION

1. In paragraph 5 of resolution 771 (1992), the United Nations Security Council called upon States and international humanitarian organizations to collate substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions, being committed in the territory of the former Yugoslavia and to make this information available to the Council. The present report is in response to that request.

2. Paragraph 1 of resolution 771 (1992) reaffirms that all parties to the conflict in the territory of former Yugoslavia are bound to comply with their obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, a/ and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches. Paragraph 2 of the resolution strongly condemns any violations of international humanitarian law, including those involved in the practice of "ethnic cleansing". The third preambular paragraph of the resolution lists some of the violations of international humanitarian law in the territory of the former Yugoslavia that have been reported: "mass forcible expulsion and deportation of civilians, imprisonment and abuse of civilians in detention centres, deliberate attacks on non-combatants, hospitals and ambulances, impeding the delivery of food and medical supplies to the civilian population and wanton devastation and destruction of property".

3. In collating substantiated information on violations of humanitarian law pursuant to paragraph 5 of resolution 771 (1992), the United States has focused on the violations identified in the resolution and other grave breaches as defined in article 147 of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. Consequently the information contained in the present report is categorized in accordance with the list of reported violations contained in resolution 771 (1992) as quoted above and the other grave breaches listed in article 147 of the fourth Geneva Convention that do not correspond to those mentioned in resolution 771 (1992) (i.e., wilful killing; torture or inhuman treatment; compelling a civilian or prisoner-of-war to serve in the forces of a hostile Power; wilfully depriving a civilian or prisoner-of-war the rights of fair and regular trial; and hostage taking).

4. The discrete incidents reported herein contain indications that they are part of a systematic campaign towards a single objective - the creation of an ethnically "pure" State. We have not identified "ethnic cleansing", which is condemned in paragraph 2 of resolution 771 (1992), as a separate category of

violations. Nevertheless, the rubric of ethnic cleansing may unite events that appear unconnected and may therefore prove useful in identifying persons and institutions that may be responsible for violations of established international humanitarian law.

5. The United States has obtained the information in the report from a variety of sources, including eyewitness accounts reported to the United States. Because resolution 771 (1992) calls upon international humanitarian organizations also to submit the substantiated information in their possession to the Council, the United States has mentioned but has not summarized the reports it has received from such organizations. Because press reports are matter of public knowledge and often are hearsay, the United States has described only such media reports in which the reporter stated that he/she personally witnessed violations of international humanitarian law. The United States has provided the most reliable information available to it and has relied to the extent possible on eyewitness accounts. Dates at the left margin of the attached report refer to approximate dates of incidents.

6. For the convenience of the Security Council, we have attached several relevant reports of the situation in the former Yugoslavia. The United States will, as appropriate, submit supplemental reports when additional information comes into its possession.

Notes

a/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

Enclosure

Former Yugoslavia: grave breaches of the fourth Geneva Convention

WILFUL KILLING

25 Aug. At Manjaca prison camp, south of Banja Luka, 25 bodies of emaciated men, believed to be prisoners, were discovered with their throats cut. The camp was operated by the Serbian Army of Bosnia-Herzegovina under General Ratho Mladic. (Department of State)

24 Aug. A resident of Pososje, Bosnia, saw 24 men, 2 women, and 2 boys machine-gunned by Serbs in her neighbour's garden. (Reuters)

24 July A former inmate of the Serb-run Keraterm camp in Prijedor, in north-western Bosnia, said that more than 100 prisoners died, due to riots after prisoners were denied water for an unspecified time; most suffocated in a crowd of prisoners trying to escape through a window, others were shot while escaping or summarily executed for participating in the riots. (Department of State)

8 July Several hundred Muslim men were taken prisoner by Serb paramilitaries during a forced evacuation of Gacko, and 36 were murdered. (Department of State)

July A man interned at the Djakovo refugee camp witnessed the murder of an acquaintance with the handle of an axe or a pick. "He was over 55, and I saw him beaten ... with my own eyes." The guards in the camp wore fatigues and hats with Chetnik symbols. (Congress)

17 June A 37-year-old male from Doboj, the village of Pridjel Gornji, described the killing of seven people and the destruction of the mosque by Chetniks. "Some wore white bands; some wore red caps; some wore Yugoslav People's Army (JNA) uniforms. They beat us with rifle butts." (Congress)

June The Citizens Council of Kozarac appealed for international observers about 6 June claiming that a large-scale massacre had occurred in Kozarac and that truckloads of bodies had been taken away to cover up the crimes committed there. (Department of State)

27 May A 55-year-old woman from Kozarac was brought to a camp in Trnopolje on 27 May where she and a group of 300-400 witnessed the killing by machine-gun of Besic Jusuf (50), Karabasic Ismet (35), Ekrem Karabasic (25), Sejdo Karabasic (21) and Meho Vukanovic (25). "They (Chetniks and Serbs) killed them because they had haircuts that made them think they were Ustashi." (Congress)

26 May — About 200 Muslim refugees from Visegrad heading for Macedonia were turned back at the Mokra Gora border crossing into Serbia on 26 May. An employee of the bus company that was transporting the refugees said that the group was stopped outside Bosanska Jagodina later that day by a group of armed men, and that he saw 17 male refugees taken from the buses and "liquidated". The killers were members of two Serbian "volunteer" groups operating in the local Serb "territorial defence" formation, which had been systematically abducting and murdering Muslims in the region. (Department of State)

2-22 May — A man reliably believed to be a former inmate of the Serb-run Luka camp in Brcko described evidence of violence in the camp, including bloodstains. According to other inmates, he said, as many as 1,000 killings took place at Luka camp between 2 and 22 May, after which the bodies were buried in a mass grave near a livestock farm called Bimex-Brcko. (Department of State)

21 May — A 29-year-old woman from Kabljami, in the vicinity of Prijedor, on 21 May witnessed the killing of five or six policemen. "They also killed some men who possessed tractors." (Congress)

18 May — "I saw my father and mother being killed", said a resident of Kozarac. "Both were 67 years old." The killer was a 21-year-old neighbour. "He probably slaughtered 30 elderly people that day." (Congress)

16 May-14 July — A Muslim man, taken to Prnjavor camp in Bosnian Serb Krajina, described beatings by Serbian military police. He saw one man die during a beating on 17 May and another die on 6 June. The alleged killers were members of groups called White Eagles or White Wolves. (Congress)

7 May — A private citizen reported that he had visited a cattle slaughterhouse near Brcko, near the Luka camp. He heard screams and shots. He spoke with a survivor of the facility, who said that 100 to 300 persons were killed each day from 7 to 14 May. (Department of State)

7 May — A resident of Brcko told of mass killings during the first week of May when Brcko surrendered to Serb forces with little resistance. (Department of State)

2 May — A 38-year-old inmate at the Djakovo Refugee camp in Croatia said that she was taken on 9 May to Luka camp near Brcko, where she saw 10 people being killed every day with rifle butts and bottles. "Two prisoners were required to slap each other. The one who didn't slap as hard was killed. One time, I saw them cut off the ears of the weak slapper, then cut off his nose and then kill him by cutting his throat." (Congress)

May — Four relatives of a Bosnian refugee were chopped up by Cetniks and burned, according to testimony given on 21 May to the Carinthian provincial government of Austria. During the same testimony, the refugee described how the Cetniks had cut his cousin with razor blades and pulled off his skin with pliers. (Department of State)

May — A United States citizen, in the custody of Serbian forces after serving in the Croatian army, said that he saw Serbian soldiers torture a Croatian soldier to death in a camp near Bileca, Bosnia. He saw the same soldiers torture another group of Croatian prisoners; he saw one die being carried away. (Department of State)

10 Apr. — A Serb who had been married to a Bosnian Muslim told United States Embassy officers in Budapest on 9 September that several Yugoslav army tanks had come in to Zvornik on 10 April. About 30 masked irregulars, who she claimed belonged to a unit under "Arkan", conducted a house-to-house search for Muslim men by checking identity cards. The Serbs then allegedly cut off the heads, hands and feet of their victims. (Department of State)

TORTURE OF PRISONERS

6 Aug. — ITN and The Guardian reported on a visit by journalists to Trnopolje, in north-eastern Bosnia, where the journalists witnessed emaciated prisoners and were given smuggled pictures of men with terrible injuries from beatings allegedly inflicted by Serb soldiers at Omarska and other camps. (London Press Association)

July — A 62-year-old inmate described his 18-day ordeal at the Djakovo refugee camp in Croatia. "There were 199 of us in the camp. I know the number because I counted the pieces of bread that were given out. While in the camp, I was hit and beaten up. My legs were swollen, I had bruises on my face and my eyes were swollen. They would pour water on me and continue beating me." (Congress)

June-July — A 60-year-old man signed in as prisoner No. 519 in the Bosanski Samac camp. "They hit me with a stick and burned me with cigarettes. They would throw water on me to wake me up so they could continue the beatings. I got pneumonia because of the cold water." On the day he was released, he was beaten in the stomach. A certificate from Slavanski Brod Medical Centre showed that he was treated from 5 to 17 July for contusions, fractured ribs and psychotic depression. He had burn marks on his left arm and a large scar on the top of his head. (Congress)

Mar.-May Two American citizens who enlisted and served in the Croatian army were incarcerated from March to May in three separate prisoner-of-war camps during which time they were beaten daily with gun stocks. They also witnessed daily beatings of other prisoners. The prisoners were subjected to electric shock treatment, use of a "stun gun" and sexual assaults. Scars and bruises were still evident on at least one of the Americans when he was turned over to the United States ambassador in Belgrade. (Department of State)

ABUSE OF CIVILIANS IN DETENTION CENTRES

1 Sep. Congressman Frank Wolf visited a prison camp, operated by paramilitaries of the Serbian Democratic Party, at Batkovic. Reportedly 1,280 men were held in two grossly overcrowded sheds where they slept on straw. Most of the prisoners were apparently being held for no reason other than their ethnic identity. (Department of State)

30-31 Aug. Conference on Security and Cooperation in Europe mission member John Zerolis, a United States Foreign Service Officer assigned to the United States Embassy in Zagreb, inspected the Serb-run prison camp of Manjaca in north-west Bosnia. He observed several thousand prisoners, none of whom was wearing any form of uniform. At that time his group was told by prisoners that they were non-combatants, that they had been summoned from their homes or simply called to the door and that they were then arrested. Asked about attempted escapes from Manjaca, camp commander Lt. Col. Popovic said there had never been any, and there "never would be any". (Department of State)

14 Aug. "Tens - possibly scores" of women were confined uncomfortably in an overheated metal shed that appeared to be a former munitions warehouse in a disused Yugoslav army barracks outside Capljina run by Major Miro Hrstic of the Croatian Defence Association of the Party of Rights (HOS). In response to questions from journalists about the shed, Hrstic said, "Let that remain a secret." (London, The Guardian)

Aug. Serbian civilian inmates, including a pregnant woman and elderly people, are subjected to beatings at the former JNA Victor Bubanj barracks in Sarajevo, a camp run by Bosnian Muslims. (Belgrade's opposition weekly, Vreme)

Aug. Women inmates were raped while being held at the Croat-run Odzak camp, according to a Western reporter who interviewed Serb refugees. (Department of State)

15 July A Serbian artillery attack on Bosanski Brod killed nine and wounded over 30 at a nearby refugee centre. (Department of State)

26 May-26 June — A 43-year-old woman who was interviewed on 10 August at the Spnsko Water Facility near Zagreb had been taken on 26 May to Prijedor to the Trnoplje camp. During her 30-day captivity, "drunk soldiers came into the room to get women and girls as young as 12 and 13 ... the girls said they had been raped. Some of the girls didn't return." (Congress)

DELIBERATE ATTACKS ON NON-COMBATANTS

Aug.-8 Sep. — Rexhep Osmani, President of the Naim Frasheri Teachers' Association in Kosovo, has been in jail since mid-August facing undefined charges. Forty-one school administrators and teachers were "brutally treated" during the week of 1 September by Serb authorities. Serbian police "opened fire" against high-school students in early September at the PEC Technical School Shaben Spahija, according to Kosova education officials. (Department of State)

6 Sep. — A convoy of United Nations trucks carrying aid supplies to Bosnian civilians was mortared on 6 September. Snipers fired all day at United Nations personnel as they distributed food to people in Sarajevo. (Hamburg, German Press Agency)

5 Sep. — Serb militia, who control the main water reservoir outside of Sarajevo, were reducing water supplies to the city in "another attack on civilians", according to the deputy commander of the Bosnian forces. (Associated Press)

3 Sep. — Marco Betti, Cesare Buttaglieri, Giuliano Velardi, and Marco Rigliaco were killed on 3 September when their G-222 aircraft, which was carrying five tons of blankets to Sarajevo on a United Nations relief mission, was shot down by up to three ground-to-air missiles. (Rome, ANSA; London, The Independent)

WANTON DEVASTATION AND DESTRUCTION OF PROPERTY

4 Sep. — Destruction and damage to homes is occurring at the rate of hundreds each day, making them unsuitable for habitation during the winter, according to Anthony Land, Zagreb Programme Coordinator of the Office of the United Nations High Commissioner on Refugees. (Department of State)

Aug. — The Chetniks burned down houses, threw grenades, and planted bombs in Montenegro, according to refugee Ms. Medina, who was recorded on 21 May by the Carinthian provincial government of Austria. (Department of State)

June — Yugoslav military aircraft bombed a tobacco factory in the Bosnian town of Grude to stunt the struggling economy, according to a United States Senate staff report. (Congress)

26 May — On 26 May, the 200-year-old mosque of Prijedor was destroyed. (Magyar Szo)

Apr. — In a letter to the United States Secretary of State dated 1 May, Professor Muhamed Dresevljakovic, the mayor of Sarajevo, wrote that militant parts of the Serbian Democratic Party had destroyed "civil sections, vital economy and communal buildings, schools and nursery schools, monuments of culture, boards of health, sacred monuments". The mayor begged, "Don't let Sarajevo become a second Vukovar, Bosanski Brod or Foca - cities vanished from the face of the Earth." (Department of State)

Mar.-July — The Croatian city of Slavonski Brod has been hit by over 10,000 artillery rounds, bombs, mortars, and ground-to-ground rockets since March. As of 16 July, over 70 civilians had been killed, including 18 children, and over 200 wounded. The 3,000 buildings that had been damaged included 15 per cent of the local residential housing. (Department of State)

OTHER, INCLUDING MASS FORCIBLE EXPULSION AND DEPORTATION OF CIVILIANS

3 Sep. — Almost 200 judges were dismissed from positions in Kosovo because of their Albanian ethnic identity. (Department of State)

1 Sep. — Inmates in the Manjaca camp, south of Banja Luka and operated by the Bosnian Serb army, are civilians arrested because of their ethnic identity, according to United States Embassy sources in Banja Luka. (Department of State)

24 Aug. — A resident of Pososje was taken by Serbs and, with other persons, robbed and turned loose near Muslim lines at Travnik. (Reuters)

20 Aug. — More than 1,500 primarily Muslim refugees were forced to leave the north-western Bosnian town of Sanski Most and travel through the night - many by foot - to Travnik. Along the way, more than 40 of their vehicles were stolen. (Associated Press)

4 Aug. — Serbian Democratic Party strategy is to expel Muslim Slavs from most of Bosnia, according to the United States Embassy in Belgrade. The Serbian Democratic Party campaign of ethnic cleansing is causing misery and death for large numbers of Bosnian Muslims. (Department of State)

2 Aug. Albanian leaders described the Serbian intention of changing the ethnic balance in Kosovo. Since 1989, over 100,000 Albanians have been deprived of their jobs. This fall, 64,000 Albanian secondary school students may boycott classes, refusing a required Serbian curriculum. (Department of State)

8 July Ethnic Muslims were forced from the district of Gacko, on the southern border with Montenegro. (Department of State)

24 June Serbian Democratic Party/JNA forces drove non-Serbs, as well as Serbs married to Muslims or Croats and Serbs who were "disloyal", out of their homes. Those expelled were given as little as 30 minutes to gather their belongings. (Department of State)

9 June Serb paramilitaries who had taken control of the Muslim-majority districts of Zvornik, Srebrenica, Bratunac, and Vlasenica were systematically expelling Muslims. Muslims in the settlement of Grobnica, near Zvornik, were given a 24-hour ultimatum to leave, and were not being allowed to carry any possessions with them. The nearby town of Kozluk, whose population of 6,000 was predominantly Muslim, was under Serbian Democratic Party occupation and "cleansed" as well. (Department of State)

4 June The "war presidency" has been established following the Serb paramilitary occupation of Visegrad. Much of the district's Muslim population has fled and the Serbs have been confiscating the property of "all those citizens whose return to the territory of the Visegrad district has been forbidden". The "war presidency" has been inviting "Serb refugees from other areas" to move into vacant homes in Visegrad. (Department of State)

2 June Serb paramilitaries have destroyed neighbourhoods with large Muslim populations and killed some people in the towns of Sanski Most and Prijedor, in north-western Bosnia. An office of emigration was established in Banja Luka to "facilitate" population transfers, since "more and more citizens of all nationalities want to change their place and area of residence". (Department of State)

17 Mar. A source close to Bosnian President Izetbegovic suggested that the upsurge of violence in Bosnia and Herzegovina was coordinated by the Serbian Democratic Party and others, perhaps including the Croatian Democratic Union, and the army. The army reportedly had provided arms to the Serb militants in Bosanski Brod, Zenica, Kalinovik and near Sarajevo. (Department of State)